United Nations A/C.1/57/PV.20

General Assembly
Fifty-seventh session

Official Records

First Committee
20th meeting
Wednesday, 23 October 2002, 3 p.m.
New York

Chairman: Mr. Kiwanuka ..... (Uganda)

The meeting was called to order at 3.10 p.m.

Agenda items 57, 58 and 60 to 73 (*continued*)

Action on all draft resolutions submitted under all disarmament and international security agenda items

The Chairman: This afternoon, the Committee, in accordance with its programme of work and timetable, will continue with the third phase of its work. The Committee will continue to take action on those draft resolutions that appear in informal working paper No. 4, which was circulated to the Committee during this morning's meeting.

The Committee will now proceed to take action on draft resolution A/C.1/57/L.45.

I give the floor to the Secretary of the Committee.

Mr. Sattar (Secretary of the Committee): The Committee will now take a decision on draft resolution A/C.1/57/L.45, entitled "Consolidation of peace through practical disarmament measures", which was introduced by the representative of Germany at the Committee's 16th meeting, on 18 October 2002. The sponsors are listed in document A/C.1/57/L.45 and in document A/C.1/57/INF/2. In addition, El Salvador and Mongolia have become sponsors of the draft resolution.

The Chairman: The sponsors of the draft resolution have expressed the wish that it be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/57/L.45 was adopted.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/57/L.31.

I call on the Secretary of the Committee.

Mr. Sattar (Secretary of the Committee): The Committee will now take a decision on draft resolution A/C.1/57/L.31, entitled "Strengthening of security and cooperation in the Mediterranean region", which was introduced by the representative of Algeria at the Committee's 16th meeting, on 18 October 2002. The sponsors are listed in document A/C.1/57/L.31 and in document A/C.1/57/INF/2. In addition, Albania and Georgia have become sponsors of the draft resolution.

The Chairman: The sponsors of the draft resolution have expressed the wish that it be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/57/L.31 was adopted.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/57/L.47/Rev.1.

I call on the Secretary of the Committee.

Mr. Sattar (Secretary of the Committee): The Committee will now take a decision on draft resolution

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A. Corrections will be issued after the end of the session in a consolidated corrigendum.

02-65657 (E)

A/C.1/57/L.47/Rev.1, entitled "Maintenance of international security — good-neighbourliness, stability and development in South-Eastern Europe", which was introduced by the representative of the former Yugoslav Republic of Macedonia at the Committee's 16th meeting, on 18 October 2002. The sponsors are listed in document A/C.1/57/L.47/Rev.1 and in document A/C.1/57/INF/2.

The Chairman: The sponsors of the draft resolution have expressed the wish that it be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/57/L.47/Rev.1 was adopted.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/57/L.23/Rev.1. I now call on those delegations wishing to explain their vote or position on the draft resolution before a decision is taken.

Mr. Benítez Versón (Cuba) (*spoke in Spanish*): The Committee has before it a new draft resolution that praises the outcome of the negotiations between two nuclear-weapon States culminating in the signing of the Treaty on Strategic Offensive Reductions (Moscow Treaty) on 24 May 2002, which essentially included both countries' commitment to move forward towards the strategic reduction of nuclear weapons.

Cuba firmly supports the idea that all States must cooperate in advancing negotiations designed to achieve nuclear disarmament in all its aspects, under strict and effective international control. In that regard, we followed with interest the negotiations resulting in the signing of the Moscow Treaty. As the attainment of total nuclear disarmament is a priority with regard to international disarmament and security, we have considered as positive any step or action designed to facilitate or contribute to the elimination of nuclear weapons. Therefore, Cuba resolutely supported preserving and respecting the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems (ABM Treaty), signed on 26 May 1972 — an agreement that undoubtedly played a central role in maintaining global strategic parity and that was one of the guarantees for world peace and security at the time.

Cuba is seriously concerned that a return to the tendency of strengthening strategic anti-missile defences could have an adverse impact on nuclear disarmament and non-proliferation and could lead to a new arms race.

The Moscow Treaty sets out bilateral commitments for reducing deployment capacity and for a modification of the operational status of nuclear weapons in the two countries concerned. However, these negotiations must in no way take the place of multilateral negotiations among the five nuclear-weapon States leading to an irreversible and definitive reduction in nuclear weapons.

The multilateral negotiations are in deadlock. There are no indications that the nuclear-weapon States are in fact prepared to resume negotiations on definitive nuclear disarmament agreements. On the contrary, it is worrisome that, more and more frequently, a growing role is being assigned to nuclear weapons within security strategies, including the development of new kinds of nuclear weapons and arguments in favour of their use.

The revision of paragraph 5 of the draft resolution contributed to making it acceptable to Cuba and, we believe, to other delegations. Cuba will support draft resolution A/C.1/57/L.23/Rev.1 on the understanding that only on the basis of multilateral negotiations and the implementation of measures for complete nuclear disarmament will we truly be able to eliminate the nuclear threat that is still looming over humankind.

Mr. Syed Hasrin (Malaysia): My delegation is taking the floor to explain our position on draft resolution A/C.1/57/L.23/Rev.1. My delegation fully appreciates the efforts made by Member States in cooperating to promote security, economic well-being and peace and prosperity in the world, in accordance with their responsibilities and obligations under the Charter and the principles of international law. We believe that such efforts are consistent with the resolve expressed by our heads of State or Government at the Millennium Summit to strive for the elimination of weapons of mass destruction, in particular nuclear weapons.

As a State party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), Malaysia has in the past welcomed — and we will continue to welcome — endeavours made, especially by nuclear-weapon States, to fulfil their obligations under article

VI of the Treaty. It was in that spirit that we decided to join the consensus and support the draft resolution. But while we acknowledge the step taken by the sponsors in signing the Moscow Treaty to limit, by 31 December 2012, the number of strategic nuclear warheads to a level that does not exceed between 1,700 and 2,200, the Treaty does not incorporate the principle of irreversibility. My delegation firmly believes that the sponsors' incorporation of that important principle into the Moscow Treaty, complemented by effective verification and transparency, would certainly contribute to advancing their commitment to the implementation of article VI of the NPT. In that regard, we look forward to the further strengthening of the Moscow Treaty.

Mr. Dowling (Ireland): I would like to make a statement with regard to draft resolution A/C.1/57/L.23/Rev.1, as well as a brief general statement with regard to the reissuing of another draft resolution.

I am taking the floor on behalf of the countries of the New Agenda Coalition — Brazil, Egypt, Ireland, Mexico, New Zealand, South Africa and Sweden — in connection with draft resolution A/C.1/57/L.23/Rev.1, entitled "Bilateral strategic nuclear arms reductions and the new strategic framework".

The New Agenda Coalition supports that draft resolution, consistent with the view expressed in the draft resolution contained in A/C.1/57/L.3/Rev.1, that the Treaty on Strategic Offensive Reductions is a positive step in the process of nuclear de-escalation between the United States and the Russian Federation. In that connection, we will follow with interest the prospect of the United States and the Russian Federation continuing to work closely to ensure the security of weapons of mass destruction and missile technologies, information, expertise and material.

Within that context, however, we want to stress very clearly that reductions in deployment and in operational status cannot be a substitute for irreversible cuts in, and the total elimination of, nuclear weapons. The Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) lays out a blueprint for a process leading to disarmament, and the encouragement we gain from an improved relationship between the possessors of the two largest nuclear arsenals in the world leads us to believe and expect that real and urgent progress in achieving those commitments can be made.

With your permission, Mr. Chairman, I would like to say that Ireland welcomes the recirculation of draft resolution A/C.1/57/L.2/Rev.1. I would like simply to draw attention to the fact that the document now fully reflects the text as submitted to the Secretariat. It contains a number of substantive amendments that reflect what we have heard from other delegations; it will be placed before the Committee for action in due course.

Mr. Umer (Pakistan): I am taking the floor to explain my delegation's position before a decision is taken on draft resolution A/C.1/57/L.23/Rev.1, entitled "Bilateral strategic nuclear arms reductions and the new strategic framework".

Pakistan would be very happy to join the consensus on this draft resolution. We, like others, welcomed the conclusion of the Moscow Treaty, which, in our estimation, constitutes a salutary first step in the direction of reducing the immediate threat posed by deployed nuclear weapons. We also support the objective of the draft resolution: that the Treaty provide an opportunity to operationalize the joint determination of the two sponsors to work together, and with other nations and international organizations, to promote peace and economic well-being throughout the world.

These are reassuring words, particularly for those who seek security and progress within the multilateral framework. Equally, the building of a new strategic relationship between the United States and the Russian Federation, proclaimed in the fourth preambular paragraph of the draft resolution, should elicit the support of the entire international community. The substitution of strategic cooperation for strategic confrontation between the two most militarily significant nations is clearly a matter of gratification for everyone.

I would like, however, to add one note of caution. The continued presence of large inventories of nuclear warheads will continue to pose a serious threat to international peace and security. As we indicated in a statement in a plenary meeting of the General Assembly, real threat reduction requires the destruction of nuclear weapons, which should now take place, to be followed by their universal and complete elimination. It needs no reiteration that States in possession of the largest stockpiles of these deadly

weapons carry the primary and inescapable responsibility of safeguarding the human race from their fearsome destructive potential.

We would also like to emphasize that a mere change in the deployment status of nuclear warheads would not materially contribute towards the agreed goal of complete and general disarmament, unless the nuclear-weapon States forswear the use and the possession of nuclear weapons under international control. Only then could the commitment in article 6 of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) be considered to have been redeemed. Negotiations should, therefore, commence at the earliest on nuclear disarmament in the Conference on Disarmament, when it meets next year.

The spirit of this draft resolution would seem to be upheld, if not validated, our by signalling our readiness to expeditiously open negotiations in Geneva. It remains our hope that the principle protagonists of the text will contribute earnestly towards the realization of the shared historical objective and help galvanize global efforts to terminate the threat emanating from the singularly hideous instrument of mass destruction.

The Chairman: If no delegation wishes to explain its position or vote before the vote, I shall give the floor to the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): The Committee will now proceed to take a decision on draft resolution A/C.1/57/L.23/Rev.1, entitled "Bilateral strategic nuclear arms negotiations and the new strategic framework". The draft resolution was introduced by the representative of the United States of America at the 11th meeting on 14 October 2002. Sponsors of the draft resolution are listed in document A/C.1/57/L.23/Rev.1.

The Chairman: The sponsors of the draft resolution have expressed the wish that the draft resolution be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/57/L.23/Rev.1 was adopted.

The Chairman: I call on the representative of China to speak in explanation of the vote after the vote.

Mr. Hu Xiaodi (China) (*spoke in Chinese*): The Chinese delegation voted in favour of draft resolution A/C.1/57/L.23, entitled "Bilateral strategic nuclear arms reductions and the new strategic framework", only because we agreed to appreciate the treaty and documents on the reduction of nuclear weapons reached between the Russian Federation and the United States.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/57/L.32. I call on the Russian Federation to explain its position before the vote.

Mr. Vasiliev (Russian Federation) (*spoke in Russian*): Russia has consistently supported the draft resolution on missiles. We have done so because the goals and the purposes set forth in this draft resolution are aimed at addressing issues related to limitation and deterrence of missile proliferation. That corresponds to the Russian approach to resolving this issue, namely through predominantly political and diplomatic methods.

Russia has been actively involved in the work of the Panel of Governmental Experts that was created in keeping with the draft resolution in order to provide assistance in the preparation of the draft report of the Secretary-General on missiles. In general, it views positively the work of that Panel and its results. It is important to note that the United Nations has acquired its first experience in considering substantively the issues relating to missile non-proliferation. For example, during that work, we again drew attention to the Russian proposal to create a global system to monitor the non-proliferation of missiles and missile technology. In calling for the creation of such a regime, which would be based on legally binding agreements, we introduced to the Panel of Governmental Experts a draft of such a document, a memorandum on intent in the area of missile non-proliferation. That document contains specific proposals regarding further steps towards drafting a treaty on a global missile non-proliferation regime, preferably under the auspices of the United Nations, in the Conference on Disarmament. Of course, where, within the Working Group of Experts, countries spoke on their respective national positions, it was impossible to reach a consensus on all issues. Therefore, we believe that it is advisable to continue within the framework of the United Nations the work that was begun within the Panel of Governmental Experts on Missiles.

Russia also believes that it is fundamentally important to have the participation of all States interested on an equal footing and on a non-discriminatory basis for the development of a new agreement on non-proliferation of missiles and missile technology. That is the underlying principle of the joint work on those issues under the auspices of the United Nations. At the same time, there should not be infringement on the lawful right of all States to make peaceful use of outer space and to have access to the benefits of socio-economic development that it provides.

Russia will support the draft resolution on missiles.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/57/L.32.

A recorded vote has been requested.

I call on the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): Draft resolution A/C.1/57/L.32, submitted under agenda item 66 on general and complete disarmament, is entitled "Missiles". The draft resolution was introduced by the representative of the Islamic Republic of Iran at the 16th meeting on 18 October 2002. The sponsors of the draft resolution are listed in document A/C.1/57/L.32, as well as in document A/C.1/57/INF/2. In addition, the following country has become a sponsor of the draft resolution: Indonesia.

Before proceeding to take action on draft resolution A/C.1/57/L.32, "Missiles", I wish to put on record the following statement on financial implications on behalf of the Secretary-General.

By operative paragraph 3 of draft resolution A/C.1/57/L.32, the General Assembly would request the Secretary-General, with the assistance of a panel of governmental experts, to fully explore the issue of missiles in all its aspects and prepare a report for consideration by the General Assembly at its fifty-ninth session. It is anticipated that the activities called for in operative paragraph 3 of the draft resolution will take place in 2004.

Under that assumption, provision would have to be made under section II, entitled "General Assembly Affairs and Conference Management", and section IV, entitled "Disarmament", of the proposed programme budget for 2004-2005, to allow the Department for Disarmament Affairs to provide conference servicing and the substantive services necessary for the holding of the proposed Panel of Governmental Experts, to be held in New York, and for the preparation of the report to be submitted to the General Assembly at its fifty-ninth session.

In that connection, it is recalled that, pursuant to General Assembly resolution 55/33 A, similar provisions were included in the programme budget for the biennium 2002-2003, to cover the costs of the two sessions of the Panel of Governmental Experts on Missiles that were held in 2002, as well as costs related to the preparation of a report for consideration by the General Assembly at its fifty-seventh session.

Therefore, bearing in mind the assumption that the request contained in operative paragraph 3 would take effect in 2004, should the Assembly adopt draft resolution A/C.1/57/L.32, the related requirements would be included under section II, entitled "General Assembly Affairs and Conference Management", and section IV, entitled "Disarmament", of the proposed programme budget for the biennium 2004-2005.

The Committee will now proceed to take action on draft resolution A/C.1/57/L.32.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chile, China, Colombia, Costa Rica, Cuba, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Ghana, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Qatar, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Sierra Leone, South Africa, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Thailand,

Togo, Tonga, Trinidad and Tobago, Tunisia, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen

Against:

Israel, United States of America

Abstaining:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Bolivia, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Monaco, Netherlands, New Zealand, Norway, Paraguay, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Singapore, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, Uruguay, Yugoslavia

Draft resolution A/C.1/57/L.32 was adopted by 90 votes to 2, with 57 abstentions.

[Subsequently, the delegation of Malawi informed the Secretariat that it had intended to vote in favour.]

The Chairman: I shall now call on those representatives who wish to explain their votes after the vote on the draft resolution on missiles.

Mr. Benítez Versón (Cuba) (*spoke in Spanish*): Cuba has once again this year voted in favour of the draft resolution on missiles (A/C.1/57/L.32). We believe this draft resolution marks a major step forward in the General Assembly towards the goal of broad-ranging, transparent, non-discriminatory and balanced consideration of the issue of missiles. We would like to emphasize that it is up to the United Nations to play the central role in dealing with this important issue.

The report produced by the Panel of Experts (A/57/229), which is referred to in operative paragraph 1 of the draft resolution, has clear limitations. Cuba will refer to those limitations in detail when it submits its views to the Secretary-General, in accordance with operative paragraph 2 of the draft resolution just adopted.

We also feel that the essential merit of both the work done by the Panel of Experts and its report lies in the fact that this represents the first serious effort by the United Nations to deal with the issue of missiles in all its aspects. We hope that a second panel of experts will be able to submit to the General Assembly specific recommendations on possible ways of dealing with this issue.

We would also like to take this opportunity to underscore the importance of ensuring that the composition of the second panel of experts reflects the principle of equitable geographic distribution.

Mr. Nielsen (Denmark): On behalf of the European Union, I have the honour to speak on the draft resolution just adopted, entitled "Missiles" (A/C.1/57/L.32).

The countries of Central and Eastern Europe associated with the European Union — Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia — and the associated countries of Cyprus, Malta and Turkey, as well as the European Free Trade Association countries of the European Economic Area, Iceland and Norway, align themselves with this explanation of vote.

As was the case last year, the European Union has this year decided to abstain on the draft resolution on missiles. Let me underline that our abstention must not be regarded as a lack of commitment to issue at stake here. The European Union remains deeply concerned about the proliferation of ballistic missiles that can carry weapons of mass destruction. Member States of the European Union have therefore played an active role in the Panel of Experts constituted by last year's resolution.

The European Union fully recognizes the role and responsibility of the United Nations in the field of international peace and security. The Union has therefore actively pursued the finalization of the international code of conduct against ballistic missile proliferation through a multilateral, open and transparent process of negotiation and consultation. The European Union is aware that the code is not the only missile initiative around. The Union would welcome increased United Nations involvement in the missile issue. We therefore welcome the conclusion of the United Nations Panel of Governmental Experts on Missiles that "It is essential to have continued

international efforts to deal with the issue of missiles" (*A/57/229, para. 79*).

The European Union remains deeply convinced that the final text of the code of conduct constitutes the most concrete initiative in the fight against the proliferation of ballistic missiles and that it offers the best chances of leading to tangible results in the short-term. That includes the right of every State to reap the benefits of the peaceful use of outer space.

The European Union therefore reiterates that the draft resolution does not reflect the central issue of the proliferation of ballistic missiles and the technologies linked with them. Moreover, the text does not sufficiently refer to the multilateral and concrete initiative that is under way through the code of conduct, which aims at combating the issue of ballistic missile proliferation. The European Union regrets that this initiative has not been reflected in the draft resolution.

However, the European Union is not convinced that having another panel of governmental experts assist in the preparation of a report on the issue of missiles in all its aspects is an efficient next step. The current report does not include any substantial recommendations on the subject that would justify a follow-up in the framework of a panel. Furthermore, we want to underline that any future panel would only be meaningful on the basis of an agreed specific mandate that ensured that added value could be offered. Alternative options should have been considered.

Those are the reasons why the European Union was, unfortunately, not in a position to support the draft resolution.

A first step towards curbing the spread of ballistic missile proliferation has been taken with the launching of the Code of Conduct. The European Union therefore urges all States to adhere to the Code by subscribing at the launching conference in The Hague on 25 and 26 November 2002. Participation allows for influence in the further development of the Code. Once adopted, the International Code of Conduct could be of interest to the United Nations. We encourage all States to join this effort, which is aimed at addressing an issue that is regarded in the view of the Panel, as a serious concern for international peace and security in the world today.

Mr. Lew Kwang-chul (Republic of Korea): My delegation abstained in the vote on draft resolution A/C.1/57/L.32, entitled "Missiles", because we are not convinced of the merits of continuing further deliberation on missile issues through the establishment of a United Nations panel. Although the report of the United Nations Panel of Governmental Experts on Missiles contains some useful elements concerning missile-related issues, it has failed to agree on specific recommendations due to the divergence of views on missile issues. This draft resolution reiterates the previous request for the establishment of a further United Nations panel with a vague and unfocused mandate. Given previous experience, it would be unrealistic to expect another panel to produce tangible and specific recommendations.

Ms. Inoguchi (Japan): I have asked for the floor to explain my Government's position on the draft resolution just adopted, entitled "Missiles", contained in document A/C.1/57/L.32.

The proliferation of missiles as delivery vehicles of weapons of mass destruction is a matter of concern to Japan. We believe it poses a threat to the peace and stability both globally and regionally. For that reason, Japan has been making efforts to ensure the non-proliferation of missiles and the reduction of the threat posed by them. We also contributed to the discussion of the United Nations Panel of Governmental Experts on Missiles, established by the Secretary-General. However, Japan has abstained in the vote on draft resolution A/C.1/57/L.32 because it has no explicit reference to the concern about missile proliferation as delivery vehicles of weapons of mass destruction or to the recognition of the efforts being made, in which my country participates.

Regardless of the vote, we remain committed to the goal of non-proliferation of such missiles, as well as to promoting international and regional peace and stability through various means.

Mr. McGinnis (United States of America): Draft resolution A/C.1/57/L.32, entitled "Missiles", raises a number of concerns for the United States about the draft's overall direction and political intent. We believe that the results of the previous panel clearly show that there is insufficient consensus within the international community on the issues posed by missiles and their potential solutions to justify further study by the United Nations for the foreseeable future. Until such

time that it is clear that a substantive and durable consensus exists on those questions, the United Nations should use the precious time and money that would be required under that resolution in other, more promising, areas. We also are concerned that the net effect of the draft resolution could be to divert attention and resources away from successful ongoing missile non-proliferation efforts.

The United States takes the danger of missile proliferation very seriously. We have actively participated in many international efforts to curb the spread of missiles and related equipment and technology. We plan to continue to strengthen and reinforce that work. We encourage all concerned Member States to cooperate in the common cause. Past efforts in this field often proved highly effective when they were conducted on a regional basis and included the active participation of those States that were directly interested and affected. This basic strategy, along with other cooperative efforts that seek to prevent the proliferation of missiles and missile technology, seem to us far more likely to be productive than the broad and rather vague approach embodied in the draft resolution.

For all those reasons, the United States has voted "no" this year on the draft resolution entitled "Missiles".

Mr. Shaw (Australia): My delegation is taking the floor to provide an explanation of vote on draft resolution A/C.1/57/L.32, entitled "Missiles". Australia believes that issues related to missiles raise serious concerns for international peace and security. The proliferation of ballistic missiles, the prime delivery vehicle for weapons of mass destruction, can have a particularly destabilizing impact on regional and global security. Those issues demand appropriate attention and a concerted response from the international community, including through the United Nations.

Australia is a strong and active supporter of ballistic missile non-proliferation efforts. We welcome the constructive contribution made in that regard by the Panel of Governmental Experts, which included an Australian expert. Regrettably, however, we continue to have a number of substantive difficulties with the draft resolution entitled "Missiles", notably its failure to highlight the importance of ballistic missile proliferation to international security. We, therefore, again abstained in the vote on this draft resolution. Moreover, Australia questions the utility of the proposal to convene a further panel of governmental experts to explore the issue of missiles in all its aspects.

The report of the current Panel does not, in our view, provide a sufficient basis in the form of specific follow-up recommendations for further work capable of meaningfully advancing consideration of this issue. It is also regrettable that the resolution makes no mention of the International Code of Conduct Against Ballistic Missile Proliferation, to be formally launched in The Hague on 25 and 26 November 2002. The International Code of Conduct represents a significant and concrete step in international efforts to curb the spread of ballistic missiles. Australia remains committed to doing what it can in support of constructive international efforts to address missile-related security concerns.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/57/L.42.

I give the floor to the representative of Ireland, who wishes to make a statement in explanation of vote before the voting.

Mr. Dowling (Ireland): I take the floor on behalf of the countries of the New Agenda Coalition — Brazil, Egypt, Ireland, Mexico, New Zealand, South Africa and Sweden — to refer to draft resolution A/C.1/57/L.42, entitled "A path to the total elimination of nuclear weapons".

One of the most significant outcomes of the 2000 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) was the unequivocal undertaking given by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals, leading to nuclear disarmament, to which all parties to the NPT are committed under article VI.

Unfortunately, draft resolution A/C.1/57/L.42 retains, in our view, a misinterpretation of that outcome. First, by placing the unequivocal undertaking of the nuclear-weapon States in operative paragraph 3, subparagraph (e), the draft resolution suggests that this undertaking is a step which remains to be taken.

Secondly, the placement of the unequivocal undertaking in operative paragraph 3 also creates a

contextual linkage with general and complete disarmament which we cannot accept.

We appreciate that the sponsors of this draft resolution are committed to nuclear disarmament. We do not question that commitment. We consulted on this draft resolution and would have been able to accept a return to the language adopted in the resolution of 2000, as the eighth preambular paragraph of that resolution correctly reflects the 2000 NPT Review Conference outcome.

As this language was not used, the members of the New Agenda Coalition will abstain in the voting on this draft resolution.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/57/L.42.

A recorded vote has been requested.

I give the floor to the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): The Committee will now proceed to take action on draft resolution A/C.1/57/L.42, submitted under agenda item 66, "General and complete disarmament", entitled "A path to the total elimination of nuclear weapons". This draft resolution was introduced by the representative of Japan at the 11th meeting, on 14 October 2002. The sponsors of the draft resolution are listed in document A/C.1/57/L.42, as well as in document A/C.1/57/INF/2. In addition, Papua New Guinea and Nicaragua have also become sponsors of the draft resolution.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Bolivia, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, Nicaragua, Nigeria, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Spain, Sri Lanka, Sudan, Swaziland, Switzerland, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zimbabwe

Against:

India, United States of America

Abstaining:

Brazil, China, Cuba, Egypt, Ireland, Israel, Mauritius, Mexico, Myanmar, New Zealand, Pakistan, South Africa, Sweden

Draft resolution A/C.1/57/L.42 was adopted by 136 votes to 2, with 13 abstentions.

[Subsequently, the delegation of Malawi informed the Secretariat that it had intended to vote in favour.]

The Chairman: I shall now give the floor to those representatives wishing to make statements in explanation of vote on the draft resolution just adopted.

Mr. Hu Xiaodi (China) (*spoke in Chinese*): The Chinese delegation supports the total elimination of nuclear weapons, which is the thrust of draft resolution A/C.1/57/L.42.

However, there are still some deficiencies in this draft resolution. For example, it makes no mention of the basic principle that the countries with the largest nuclear arsenals bear special responsibility for nuclear disarmament. It also fails to recognize that nuclear disarmament measures can be pursued only on the basis of the principle of the maintenance of global

strategic stability and of undiminished security for all countries, and that such measures should be conducive to international peace and security.

The draft resolution also fails to call for the abandonment of nuclear-deterrence doctrines characterized by the first use of nuclear weapons and a strategy of pre-emptive nuclear strike. It is also necessary to note that some of the specific measures contained in the draft are premature.

For these reasons, the Chinese delegation abstained in the voting on draft resolution A/C.1/57/L.42.

Mr. Müller (Austria): I should like first to thank the delegation of Japan for the elaboration and presentation of the draft resolution entitled "A path to the total elimination of nuclear weapons". We appreciate the spirit of cooperation Japan has demonstrated throughout the consultations on this resolution.

Austria voted in favour of the resolution, as it contains many elements to which my delegation fully subscribes. Austria fully shares Japan's commitment to the cause of nuclear disarmament and non-proliferation, and in particular to the full implementation by all States parties of their obligations under the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

In this respect, we attach particular importance to the Final Document of the 2000 NPT Review Conference and the practical steps for the systematic and progressive efforts to implement article VI of the NPT and paragraphs 3 and 4 (c) of the 1995 Decision on principles and objectives for nuclear non-proliferation and disarmament agreed to in the Final Document.

Against this background, we regret to say that in the present resolution, operative paragraph 11 on the International Atomic Energy Agency (IAEA) safeguards system and on the additional protocols falls short of our expectations.

There is no doubt that, among the many measures that need to be taken in order adequately to address the threat of nuclear terrorism and to detect undeclared nuclear activities has to be the strengthening of the verification capabilities of the International Atomic Energy Agency by means of strengthening its safeguards system. Hence the conclusion of additional protocols and the swift implementation of the integrated safeguards system are key elements for enhancing nuclear non-proliferation.

Unfortunately, the language in operative paragraph 11 does not, in our view, reflect the importance and urgency of the measures which have to be taken both by the IAEA and its member States in order to accelerate the build-up and full implementation of the Agency's integrated safeguards system.

We hope that next year's draft resolution on this subject will take these concerns into due consideration.

Mr. Heinsburg (Germany): Germany fully shares Japan's commitment to the cause of nuclear disarmament and non-proliferation, and in particular to the full implementation by all States parties of their obligations under the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). The NPT remains the cornerstone of the nuclear non-proliferation regime and the essential foundation of nuclear disarmament.

We attach particular importance to the Final Document of the 2000 Review Conference of the Parties to the NPT. Its adoption by consensus was an important step for the NPT and for the nuclear non-proliferation regime as a whole. It is important that the practical steps included in the Final Document be progressively and fully implemented, as they chart the way to nuclear disarmament.

The draft resolution might leave room for possible misinterpretations, as it does not reflect the practical steps for systematic and progressive efforts to implement article VI of the NPT, as agreed at the 2000 NPT Review Conference, in their entirety. This concern, which we raised last year, remains, unfortunately, valid this year as well. Knowing the sponsors' unequivocal and unwavering commitment to the cause of nuclear disarmament and non-proliferation, which we fully share, Germany voted in favour of the draft resolution. However, having done so, we would like to underline that we do not interpret the selective quoting in the draft resolution as detracting from the comprehensive commitment by the States parties to the NPT to implement the conclusions of the Final Document in their entirety.

Mr. McGinnis (United States of America): As we did last year, the United States delegation voted against draft resolution A/C.1/57/L.42, primarily because of

the language it contains on the Comprehensive Nuclear-Test-Ban Treaty. We believe that the spirit of the draft resolution is something to which we can subscribe. At the same time, my delegation believes that nuclear disarmament will not be achievable absent stronger non-proliferation controls to preclude the transfer of weapons of mass destruction and related technologies.

The United States has made clear its commitment to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and its readiness to contribute to the implementation of the Final Document of the 2000 Review Conference of the Parties to the NPT. The United States' vote on this draft resolution today should in no way be seen as a repudiation of those parts that support these same principles.

Mr. Umer (Pakistan): Very briefly, we found several provisions of the draft resolution contained in document A/C.1/57/L.42, entitled "A path to the total elimination of nuclear weapons", somewhat questionable.

We feel that the draft resolution places inordinate emphasis on non-proliferation to the detriment of nuclear disarmament, where we see a certain regression. We also cannot endorse the premise of the seventh and eighth preambular paragraphs, and we also have some reservations on operative paragraph 1. As a non-party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), we construe that we are not under any obligation to implement operative paragraph 3, including several of its sub-paragraphs, nor are we bound by any of the provisions which emanate from the Review Conference of the Parties to the NPT or other forums in which Pakistan is not represented.

It was this understanding which enabled my delegation to abstain in the voting on, rather than vote against the draft resolution.

Ms. Kumar (India): My delegation has taken the floor to explain why we could not vote in favour of the draft resolution in document A/C.1/57/L.42.

It is well known that India has an unwavering commitment to nuclear disarmament and the goal of the complete elimination of nuclear weapons globally. However, the instrument purported to have been intended to achieve these objectives — the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) — does not seem to have been effective, as has been stated in this forum several times at this session already. India would reiterate that it is necessary to recognize this and, instead, to take a path beyond the framework of the NPT towards equal and legitimate security for all through global disarmament.

As we have explained in earlier instances as well, we find that the draft resolution is based on NPT philosophy, which makes it flawed as a vehicle for the stated objective. Further, it welcomes the Final Document of the 2000 Review Conference of the Parties to the NPT, which is not, in our view, a balanced document. The call in paragraph 3(b) for a moratorium on the production of fissile material indicates a lack of responsiveness to reality. The call in paragraph 1 for the universality of the NPT is unconvincing.

Therefore, while we agree with the basic objective of the draft resolution — the global elimination of nuclear weapons — India cannot support the draft resolution as a whole because of its many elements that are based on a flawed approach and therefore remain unacceptable. India therefore cast a negative vote on the draft resolution as a whole.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/57/L.43.

I call on the representative of Cuba to make an explanation of vote before the voting.

Ms. Mirta Granda (Cuba) (*spoke in Spanish*): This year, Cuba will vote once again in favour of the draft resolution entitled "Nuclear disarmament", contained in document A/C.1/57/L.43.

My delegation believes that it is a document of utmost importance. It appropriately reflects the highest priority of nuclear disarmament. The language of the draft resolution is clear and direct and we hope that it will be taken duly into consideration by the nuclear-weapon States. We fully support the appeal made in the draft resolution to the Conference on Disarmament to establish, on a priority basis, an ad hoc committee to deal with nuclear disarmament early in 2003 and to commence negotiations on nuclear disarmament leading to the eventual total elimination of nuclear weapons.

We hope that the draft resolution will be supported by the majority of member States.

The Chairman: A recorded vote has been requested on draft resolution A/C.1/57/L.43.

A separate vote will be taken on operative paragraph 10.

I call on the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): Draft resolution A/C.1/57/L.43, entitled "Nuclear disarmament", was submitted under agenda item 66 on general and complete disarmament.

The draft resolution was introduced by the representative of Myanmar at the Committee's 16th meeting on 18 October 2002. Sponsors of the draft resolution are listed in document A/C.1/57/L.43, as well as in document A/C.1/57/INF/2. In addition, the following countries have become sponsors of the draft resolution: El Salvador, Islamic Republic of Iran and Samoa.

The Committee will now proceed to take a separate vote on operative paragraph 10 of the draft resolution, which reads as follows:

> "*Also welcomes* the unequivocal undertaking by the nuclear-weapon States, in the Final Document of the Review Conference, to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all States parties are committed under article VI of the Treaty, and the reaffirmation by the States parties that the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons, and calls for the full and effective implementation of the steps set out in the Final Document."

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Bolivia, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zimbabwe

Against:

India, Israel

Abstaining:

France, Georgia, Monaco, Pakistan, Russian Federation, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Operative paragraph 10 of draft resolution A/C.1/57/L.43 was retained by 139 votes to 2, with 8 abstentions.

The Chairman: I now give the floor once again to the Secretary of the Committee to conduct the voting on the draft resolution as a whole.

Mr. Sattar (Secretary of the Committee): The Committee will now proceed to take action on draft resolution A/C.1/57/L.43 as a whole.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Armenia, Bahamas, Bahrain, Bangladesh, Barbados, Bolivia, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chile, China, Colombia, Costa Rica, Cuba, Democratic People's Republic of Korea, Dominican Republic, Ecuador, Egypt,

El Salvador, Eritrea, Ethiopia, Fiji, Ghana, Guatemala, Guinea, Guyana, Haiti, Honduras, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Nigeria, Oman, Panama, Paraguay, Peru, Philippines, Qatar, Saint Lucia, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Swaziland, Syrian Arab Republic, Thailand, Togo, Tonga, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zimbabwe

Against:

Albania, Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Dominica, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, Norway, Poland, Portugal, Romania, San Marino, Slovakia, Slovenia, Spain, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia

Abstaining:

Argentina, Azerbaijan, Belarus, Cyprus, Georgia, India, Ireland, Israel, Japan, Kazakhstan, Kyrgyzstan, Marshall Islands, Mauritius, Pakistan, Republic of Korea, Republic of Moldova, Russian Federation, Sweden, Ukraine

Draft resolution A/C.1/57/L.43 as a whole was adopted by 91 votes to 40, with 19 abstentions.

[Subsequently, the delegation of Malawi informed the Secretariat that it had intended to vote in favour.]

The Chairman: I shall now call on those representatives who wish to speak in explanation of vote on the draft resolution just adopted.

Ms. Inoguchi (Japan): I would like to explain Japan's abstention in the voting on draft resolution A/C.1/57/L.43, entitled "Nuclear disarmament", as a whole.

It is Japan's fervent wish that the use of nuclear weapons should not be repeated and that continuous efforts should be made towards achieving a safe world, free of nuclear weapons. In this context, Japan regards the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) as the cornerstone of the nuclear non-proliferation regime and the foundation for the promotion of nuclear disarmament.

However, the Treaty is facing the reality that there are States that are parties to the NPT but do not comply with it fully, and there are States that operate unsafeguarded nuclear facilities, remaining outside the NPT. It is, therefore, an urgent priority in maintaining international peace and security to ensure full compliance by all States parties with this bedrock instrument, as well as to promote its universality.

As far as draft resolution A/C.1/57/L.43 is concerned, I would like to state the following: the draft resolution rightly refers to the NPT as a cornerstone of nuclear non-proliferation and nuclear disarmament. My delegation also appreciates that it welcomes the positive outcome of the 2000 NPT Review Conference. Japan firmly believes that the maintenance and strengthening of the NPT is essential in order to achieve a safe world, free of nuclear weapons. However, L.43 contains a reference to a specified time frame for nuclear disarmament. My delegation firmly believes that the steps for nuclear disarmament should be realistic and progressive, with the engagement of the nuclear-weapon States from the very beginning of the process. Therefore, my country takes a different approach from this draft resolution towards the shared goal of the total elimination of nuclear weapons.

Mr. Hu Xiaodi (China) (*spoke in Chinese*): The Chinese delegation voted in favour of draft resolution A/C.1/57/L.43. China supports the objectives and the main thrust of this draft resolution.

On the issue of nuclear disarmament, China shares many of the positions held by the majority of the Non-Aligned Movement countries: commitment to the total elimination of nuclear weapons, opposition to nuclear deterrence doctrines characterized by the first use of nuclear weapons or the strategy of pre-emptive nuclear strike, the call for an unconditional commitment by nuclear-weapon States never to be the first to use nuclear weapons and the early commencement of negotiations on an international legal instrument on no use or threat of use of nuclear

weapons against non-nuclear-weapon States or nuclear-weapon-free zones.

We note with appreciation that the current draft resolution is improved in some aspects compared to that of last year. It is necessary to know that, in the current international situation, some specific nuclear disarmament measures in this draft resolution are still premature.

Ms. Kumar (India): My delegation has taken the floor to explain why we had to abstain on this draft resolution.

India has a long-standing and unwavering commitment to nuclear disarmament and the global elimination of nuclear weapons. In fact, until the year 2000, we supported the draft resolution on nuclear disarmament. However, since last year the draft resolution has not only diluted a number of traditional, long-held Non-Aligned Movement and Group of 21 positions on nuclear disarmament, which India fully supports, but has also included elements of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), on which India's stand is well known.

Therefore, we are unable to support operative paragraphs 9 and 10 of the draft resolution, which refer to the Final Document of the 2000 NPT Review Conference, which is, in our view, not a balanced document, and we abstained in the voting on the draft resolution as a whole.

Mr. Umer (Pakistan): As we have said here on a number of occasions, we are committed completely — totally and unequivocally — to the achievement of complete and comprehensive nuclear disarmament. And, in pursuance of this commitment, the delegation of Pakistan had, in the past, supported the draft resolution on nuclear disarmament, which used to be introduced by Myanmar, together with other non-aligned countries. Even this draft resolution contains several positive features, particularly the call for the establishment, on a priority basis, of an ad hoc committee to promote nuclear disarmament. We look forward to that eventuality when the Conference on Disarmament convenes in Geneva early next year.

Unfortunately, however, the draft resolution contained in document A/C.1/57/L.43 contains provisions in the sixth preambular paragraph, in the final preambular paragraph and in operative paragraphs 6, 9 and 10 that are inconsistent with my delegation's position. We were therefore constrained to abstain from voting on draft resolution A/C.1/57/L.43.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/57/L.36. Does any delegation wish to explain its position before a decision is taken? I see none.

A recorded vote has been requested.

I call on the Secretary of the Committee to conduct the voting on the draft resolution.

Mr. Sattar (Secretary of the Committee): The Committee will now take a decision on draft resolution A/C.1/57/L.36, entitled "Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction", which was introduced by the representative of Belgium at the Committee's 13th meeting, on 16 October 2002. The sponsors are listed in the draft resolution and in document A/C.1/57/INF/2. In addition, Albania, the Bahamas, Barbados, Benin, Botswana, Cape Verde, the Central African Republic, the Comoros, Djibouti, Equatorial Guinea, Guinea-Bissau, Mauritania, Mauritius, Qatar, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Samoa, Seychelles, Sudan, Suriname, Timor-Leste, Tuvalu and Vanuatu have become sponsors of the draft resolution.

In that connection, I should like to draw members' attention to the responsibility entrusted to the Secretary-General under draft resolution A/C.1/57/L.36 and to the note by the Secretary-General contained in document A/C.1/57/L.58.

The Committee will now take a decision on draft resolution A/C.1/57/L.36.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Bolivia, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece,

Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Moldova, Romania, Saint Lucia, Samoa, San Marino, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zimbabwe

Against:

None

Abstaining:

Azerbaijan, China, Cuba, Egypt, India, Iran (Islamic Republic of), Israel, Kazakhstan, Kuwait, Kyrgyzstan, Lebanon, Libyan Arab Jamahiriya, Morocco, Myanmar, Pakistan, Republic of Korea, Russian Federation, Syrian Arab Republic, United States of America, Viet Nam

Draft resolution A/C.1/57/L.36 was adopted by 128 votes to none, with 20 abstentions.

[Subsequently, the delegation of Malawi informed the Secretariat that it had intended to vote in favour.]

The Chairman: I now call on those representatives who wish to explain their vote or position on the draft resolution just adopted.

Ms. Yeo Seow Peng (Singapore): Singapore's position on anti-personnel landmines has been clear and open. Singapore supports and will continue to support all initiatives against the indiscriminate use of anti-personnel landmines, especially when they are directed against innocent and defenceless civilians. Bearing that in mind, Singapore declared a two-year moratorium, in May 1996, on the export of anti-personnel landmines without self-neutralizing mechanisms. In February 1998, we extended the moratorium to include all manner of anti-personnel landmines — not only those without self-neutralizing mechanisms — and we extended the moratorium indefinitely. At the same time, like several other countries, Singapore believes that the legitimate security concerns and the right to self-defence of any State cannot be disregarded. A blanket ban on all types of anti-personnel landmines might, therefore, be counterproductive.

Singapore supports international efforts to resolve the humanitarian concerns over anti-personnel landmines. We will continue to work with members of the international community towards finding a durable and truly global solution.

Mr. Lew Kwang-chul (Republic of Korea): My delegation abstained from the vote on draft resolution A/C.1/57/L.36, entitled "Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction", because it contains provisions that are inconsistent with our security needs. Nevertheless, the Republic of Korea supports the humanitarian objectives of the Ottawa Convention, which aims to eliminate the consequences of the indiscriminate use of anti-personnel landmines. As a member of the Mine Action Support Group, my Government has taken part in international initiatives to that end. Furthermore, the Republic of Korea is carrying out its due responsibilities on landmine issues, within the framework of amended Protocol II to the Convention on Certain Conventional Weapons. On another positive note, South and North Korea began mine-clearing operations in the demilitarized zone last month as part of work to reconnect cross-border rail and road links.

Mr. Han (Myanmar): I should like to explain my delegation's position on the draft resolution contained in document A/C.1/57/L.36, relating to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction. Myanmar is not a signatory or a State party to the Ottawa Convention, nor did it participate in the Ottawa process. But we respect the decision of the countries that have signed and ratified the Ottawa Convention. In principle, Myanmar is in favour of banning the export, transfer and indiscriminate use of anti-personnel mines. At the same time, we believe that

every State has the right to self-defence. In fact, the right of self-defence is enshrined in Article 51 of the Charter of the United Nations. Therefore, it is essential that every State be able to exercise the right of self-defence when its security and its supreme interests are at stake.

We recognize that the indiscriminate use of anti-personnel mines is causing the deaths and injuries of innocent children, women and men around the world. The ready availability of landmines is the main reason behind such tragedies. We can go a long way towards preventing those tragedies by addressing the issues of illicit trafficking and indiscriminate use of landmines by non-State actors. In our opinion, a total ban on anti-personnel landmines is not yet a practical and effective measure in the prevailing circumstances. We believe that the Conference on Disarmament is the proper forum for dealing with the problem. For those reasons, my delegation has abstained in the vote on draft resolution A/C.1/57/L.36.

Mr. Margaryan (Armenia): My delegation has voted in favour of the draft resolution just adopted. Armenia welcomes the entry into force of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Landmines. Though Armenia has not yet acceded to the Convention, we fully support the Convention's objectives to reaffirm our readiness to take measures consistent with its provisions. However, Armenia's full participation in the Convention is contingent on a similar level of political commitment by other parties in the region to adhere to the Convention and to comply with its regime.

Mr. Pant (Nepal): My delegation has voted in favour of the draft resolution just adopted, in line with our long-held policy of extending unequivocal support for all initiatives leading to general and complete disarmament. It is our view that the issue of anti-personnel mines involves some delicate humanitarian concerns and legitimate self-defence needs of sovereign States, which calls for a balanced approach to the problem. In that context, my country wishes to submit that it may take some time before we can sign the Convention and become a party to it, owing to current domestic security concerns.

Mr. Shradi (Libyan Arab Jamahiriya) (*spoke in Arabic*): We wish to make a statement regarding our vote on draft resolution A/C.1/57/L.36, on the full implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction.

Although the Convention undeniably seeks to achieve noble humanitarian objectives, we, nonetheless, believe that its provisions have shortcomings, particularly given that millions of mines that date back to the Second World War are buried in my country. We expected the Convention to be more comprehensive in its treatment of landmine issues, particularly regarding the responsibility of countries that have planted mines to provide assistance for their removal, as well as compensation to the individuals who have experienced mine-related injuries.

The Convention also emphasizes small and limited arms. My country is a third world country; it is large with long borders. We are not able to defend these borders against those that possess aircraft carriers and all kinds of advanced weapons. We all know that individuals step on those mines, not the other way around. Therefore, we believe that humanity must be more concerned with and focused on eliminating weapons of mass destruction such as ballistic missiles, which represent a serious threat to humanity as a whole, rather than small arms.

My delegation abstained in the vote for those reasons.

Mr. Assaf (Lebanon) (*spoke in Arabic*): Allow me to express my delegation's regret for having to abstain in the vote on the implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction. I emphasize that we were forced to do so, because that was our only choice. In that regard, I apologize to the delegation of Belgium, which sponsored this resolution, and to the other sponsors, for the fact that my country could not be one of the countries that voted in favour of the draft resolution.

The reason for that is that one of the Middle Eastern countries — Israel — still publicly states its refusal to accede to the Convention. My country has suffered most from landmines, following the end of the Israeli occupation in 2000. Israel left behind more than 450,000 mines. This statistic was provided by the United Nations, based on information that it received from its peacekeeping force in southern Lebanon. It is clear that Lebanon will continue to suffer for decades before it succeeds in totally clearing those mines. Since

24 May 2000, when Israel withdrew, more than 15 Lebanese have died as a result of those mines and more than 100 Lebanese citizens have been wounded, some of whom were totally disabled.

Yesterday, the Israeli representative gave us the good news that his country has refrained from or has stopped producing landmines. We hope that that is true. However, we wish to ask him the following question: if Israel has stopped producing mines and when it withdrew from Lebanon, it left behind 450,000 mines, how many more mines would it have left behind if it continued to produce them?

In that context, we renew our appeal to Israel to accede to the Convention on the Prohibition of Anti-personnel Landmines to enable other countries to do the same and thus be able to give this Convention the universality it requires.

Ms. Mirta Granda (Cuba) (*spoke in Spanish*): My country has always attached due importance to the legitimate humanitarian concerns associated with the indiscriminate use of anti-personnel mines. Cuba firmly supports the prohibition of all indiscriminate use of anti-personnel mines. It opposes, among other things, the use of anti-personnel landmines in domestic or external conflicts, and it opposes the use of mines difficult to detect that can affect civilian populations. That is why we are a party to the Convention on Certain Conventional Weapons and are participating very actively in drafting its additional amended Protocol II on mines, booby traps and other weapons.

However, we believe that the ultimate objective of negotiations on anti-personnel mines has always been to guarantee the maximum protection for civilian populations, and not to limit the military capability of States to preserve their sovereignty and territorial integrity, in accordance with the legitimate right to self-defence recognized in the Charter.

The absence of recognition of legitimate security concerns in the draft resolution adopted is the main reason that Cuba abstained in the vote. For Cuba, which for more than 40 years has been subjected to the hostile and aggressive policy of the country with the greatest economic, political and military power in the world, we cannot afford the luxury of rejecting that type of weapon for the defence of its sovereignty and territorial integrity.

We will continue to fully support all efforts that maintain the necessary balance between humanitarian considerations and security concerns and that, at the same time, seek to reduce the terrible effects caused by the indiscriminate use of anti-personnel landmines against the civilian populations of many countries.

Ms. Kumar (India): My delegation takes the floor to explain why we abstained in the vote on this draft resolution. India remains committed to the objective of a non-discriminatory, universal and global ban on anti-personnel landmines through a phased process that addresses the legitimate defence requirements of States, while ameliorating the critical humanitarian crisis that has resulted from an indiscriminate transfer and use of landmines. We believe that the phased approach commends itself as a confidence-building process, enabling States, especially with long borders, to safeguard their legitimate security needs. The process of complete elimination of anti-personnel mines will be facilitated by addressing the legitimate defensive role of anti-personnel landmines for operational requirements under the defence doctrines of the countries concerned through the availability of appropriate, militarily effective and non-lethal alternative technologies that can perform cost effectively the legitimate defensive role of anti-personnel landmines.

India would support negotiations in the Conference on Disarmament for a ban on transfers of anti-personnel landmines on the basis of a mandate that reflects the interests of all delegations. India has been an active participant in the Convention on Certain Conventional Weapons process and has ratified all its Protocols, including amended Protocol II on landmines.

In view of all those considerations, India has abstained in the vote on this draft resolution.

Mr. Umer (Pakistan): This is to explain our abstention in the vote on the draft resolution just adopted dealing with the anti-personnel landmines and their destruction.

Our position on the question of anti-personnel landmines is determined by our legitimate security concerns. Given Pakistan's security imperatives, and the need to guard along borders not protected by any natural feature, the use of landmines forms a natural part of our self-defence strategy. As such, it is not possible for us to agree to the demands for the complete prohibition of anti-personnel landmines until such time that viable alternatives are available. We also believe that it is the irresponsible use of landmines that has caused so much destruction and misery. We remain committed to ensuring the high standards of responsibility in the use of these indefencive weapons.

Pakistan is a party to amended Protocol II of the Convention on Certain Conventional Weapons, which regulates the use of landmines in both internal and external conflicts to prevent civilians from falling victims to those mines. We are continuing to implement the Protocol with the greatest earnestness. It is also our conviction that a truly universal standard can and should be set within the framework of the United Nations and cooperating humanitarian and security requirements. It is for those reasons that we were obliged to abstain in the vote on this draft resolution.

Mr. Issa (Egypt) (*spoke in Arabic*): Our delegation wishes to explain its abstention in the vote on draft resolution A/C.1/57/L.36, relative to the implementation of the Convention of the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction. The Egyptian delegation's abstention in the vote on the draft resolution stems from its conviction that the Convention has serious shortcomings. We pointed that out during the negotiations on the drafting of that Convention and when the General Assembly dealt with this resolution in previous years. The above-mentioned Convention does not deal with the legitimate right of countries to self-defence. It does not deal with the rights and the obligations of the countries parties to the Convention in a manner consistent with their commitments, nor does it deal with the principle of international cooperation and assistance provided to countries affected by landmines to clear those mines. Based on that, the Egyptian delegation has abstained.

The Chairman: I should like to inform members that, at its next meeting, the Committee will continue to take action on the draft resolutions listed in informal working paper No. 5, which has been distributed to the Committee.

I call on the representative of Pakistan.

Mr. Umer (Pakistan): I thank you, Mr. Chairman, for circulating informal working paper No. 5, which underscores your desire to ensure that we organize our work very efficiently and effectively. I am sure we are all very grateful to you.

Under cluster 9, the informal working paper lists draft resolution A/C.1/57/L.49/Rev.1, which it indicates is entitled "Terrorism and weapons of mass destruction". It is my understanding that the title of that draft resolution was changed after very extensive and fruitful consultations. I should be grateful if you could kindly indicate the correct title of the draft resolution, so that we may come prepared accordingly on Friday.

The Chairman: The Secretary of the Committee informs me that the representative of Pakistan is quite right. The correct title of the draft resolution is "Measures to prevent terrorists from acquiring weapons of mass destruction". The working paper will be corrected accordingly.

The draft resolutions listed in informal working paper No. 5 are as follows. Listed under cluster 1, nuclear weapons, are: A/C.1/57/L.2/Rev.1, "Reductions of non-strategic nuclear weapons"; A/C.1/57/L.3/Rev.1, "Towards a nuclear-weapon-free world: the need for a new agenda"; A/C.1/57/L.14, "Effects of the use of depleted uranium in armaments", A/C.1/57/L.24/Rev.1; "Establishment of a nuclear-weapon-free zone in Central Asia"; and A/C.1/57/L.27, "The risk of nuclear proliferation in the Middle East". Listed under cluster 4, conventional weapons, is A/C.1/57/L.18/Rev.1, "National legislation on transfer of arms, military equipment and dual use goods and technology". Listed under cluster 7, disarmament machinery, are A/C.1/57/L.11, "United Nations regional centres for peace and disarmament"; A/C.1/57/L.16, "United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean"; and A/C.1/57/L.35, "United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific". Listed under cluster 9, related matters of disarmament and international security, is A/C.1/57/L.49/Rev.1, "Measures to prevent terrorists from acquiring weapons of mass destruction". And , listed under cluster 10, international security, is A/C.1/57/L.10, "Promotion of multilateralism in the area of disarmament and non-proliferation".

Statement by the Chairman

The Chairman: I am informed that, approximately one hour ago, terrorists took nearly 1,000 people hostage in Moscow, Russian Federation, in one of the city's theatres. Gunshots were heard outside, and, according to Cable News Network, the terrorists were laying mines around the building's perimeter. I am sure that members will wish to join me in expressing hope for a speedy and peaceful end to the crisis.

The meeting rose at 5.10 p.m.

United Nations A/C.1/57/PV.21

General Assembly
Fifty-seventh session

Official Records

First Committee
21st meeting
Friday, 25 October 2002, 10 a.m.
New York

Chairman: Mr. Semakula Kiwanuka ..... (Uganda)

The meeting was called to order at 10.15 a.m.

Agenda items 57, 58 and 60 to 73 (*continued*)

Action on all draft resolutions submitted under all disarmament and international security agenda items

The Chairman: In accordance with its programme of work and timetable, the Committee will continue with the third phase of its work, namely, action on all draft resolutions and decisions submitted under agenda items 57, 58 and 60 to 73. This morning the Committee will continue to take action on draft resolutions that appear in informal working paper No. 5, which was distributed to the Committee during the previous meeting.

Before I proceed to give the floor to the first speaker, I would like to draw the Committee's attention to the following. While we are drawing close to the end of the first phase of our work, action on draft resolutions, it has been brought to my attention that, as in past years, the use of the phrase "within existing resources" in draft resolutions seems to have brought forth some confusion. I have, therefore, been requested to draw the Committee's attention to the positions of the Advisory Committee on Administrative and Budgetary Questions (ACABQ), the Fifth Committee and the General Assembly with regard to the use of the phrase "within existing resources". ACABQ, in its report contained in document A/54/7 on the proposed programme budget for the biennium 2000-2001, included two paragraphs — paragraph 66 and paragraph 67 — on this subject. They read as follows, in paragraph 66,

> "The Advisory Committee notes with concern the growing practice of some intergovernmental bodies of attempting to determine the method of financing of mandates to be approved in the context of substantive resolutions, in contravention of the provisions of General Assembly resolutions 41/213 and 42/211 of 21 December 1987. The Committee recalls section VI of General Assembly resolution 45/248 B of 21 December 1990, whereby the General Assembly, inter alia:
>
> > '1. *Reaffirms* that the Fifth Committee is the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters;
> >
> > '2. *Reaffirms* also the role of the Advisory Committee on Administrative and Budgetary Questions;
> >
> > '3. *Expresses its concern* at the tendency of its substantive Committees and other intergovernmental bodies to involve themselves in administrative and budgetary matters'".

Paragraph 67 states:

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A. Corrections will be issued after the end of the session in a consolidated corrigendum.

02-66046 (E)

> "In a related matter, the Advisory Committee notes the use of the phrase 'within existing resources' in a number of resolutions and decisions of the General Assembly. Upon enquiry, the Committee was informed of the difficulties that such limitations have on the implementation of mandated activities. The Committee has written extensively on this. The Committee emphasizes the responsibility of the Secretariat to inform the General Assembly thoroughly and accurately about whether there are enough resources to implement a new activity; in order for this to be meaningful, programme managers must be fully involved."

The Fifth Committee, in reviewing the report of ACABQ, reaffirmed this position in its paragraph 1 of part I of General Assembly resolution 54/249, entitled "Questions relating to the proposed programme budget for the biennium 2000-2001". Operative paragraph 1 of that resolution reads as follows:

> "*Reaffirms* that the Fifth Committee is the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters".

In light of the above, I would like to bring to the Committee's attention that the use of the phrase "within existing resources" or similar phraseology would appear to be in contravention of General Assembly resolutions 41/213 and 42/211. It is hoped, therefore, that Member States will henceforth avoid using the phrase as much as possible in their draft resolutions.

Before the Committee proceeds to take a decision on the draft resolutions contained in cluster 1, "Nuclear weapons", as appeared in informal working paper No. 5, I shall give the floor to those representatives who wish to make general statements, other than explanations of vote, or to introduce revised draft resolutions.

Mr. Dowling (Ireland): I would like to refer to one of the draft resolutions that would have been before us this morning — draft resolution A/C.1/57/L.2/Rev.1, entitled "Reductions of non-strategic nuclear weapons". As delegations may be aware, there was an error in A/C.1/57/L.2/Rev.1 as issued on Wednesday, and the correct version was not reissued until Wednesday afternoon. As that is the definitive text, and as there was a delay in its reaching certain delegations, we are proposing to postpone the vote on that draft resolution until Monday.

Mr. Benítez Versón (Cuba) (*spoke in Spanish*): I would like to inform the Committee that, on 23 October, the Cuban Embassy in Mexico City proceeded, on behalf of the Republic of Cuba, to ratify and to deposit the instrument of ratification of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, better known as the Treaty of Tlatelolco. The Government of the Republic of Cuba also deposited instruments of ratification of all the amendments to that Treaty, as adopted through resolutions 267, 268 and 920 of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean.

With Cuba's ratification, the Treaty of Tlatelolco will enter into force throughout the area of its application, thus making Latin America and the Caribbean the world's first inhabited zone completely free from nuclear weapons.

Cuba had signed the Treaty on 25 March 1995, thereby demonstrating its political will and committing itself to the application of that legal instrument — an act of solidarity with the countries of Latin America and the Caribbean — despite the fact that the United States, the sole nuclear Power in the Americas, was maintaining its hostile policy towards Cuba, strengthening its economic, trade and financial embargoes, intensifying its campaign against our country and continuing — by force and against the will of the Cuban people — its illegal occupation of part of our nation's territory. As we ratified the Treaty of Tlatelolco, those obstacles were still in existence — indeed, they are worsening. Yet Cuba once again is displaying its commitment to the promotion, strengthening and consolidation of multilateralism and international disarmament and arms control treaties.

The ratification of the Treaty of Tlatelolco is a reaffirmation of Cuba's commitment to and respect for the principle of nuclear non-proliferation at the global level. Furthermore, Cuba's decision represents a major contribution to subregional efforts to promote nuclear disarmament and international peace and security.

Furthermore, as announced on 14 September by the Minister for Foreign Affairs of the Republic of Cuba, in the next few days Cuba will proceed to deposit the instruments of accession to the Treaty on

the Non-Proliferation of Nuclear Weapons, thus becoming a State party to the Treaty.

Mr. Albin (Mexico) (*spoke in Spanish*): Mexico, in its capacity as the depositor for the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean — the Treaty of Tlatelolco — welcomes the deposit on 23 October by the Government of Cuba of instruments of ratification to that Treaty. With that ratification, the military denuclearization regime established by that major instrument will fully enter into force throughout the States of Latin America and the Caribbean, marking the culmination of diplomatic efforts by Mexico, initiated by Ambassador Alfonso García Robles, the 1982 Nobel Peace Laureate, to ensure the consolidation of our region as a nuclear-weapon-free zone.

The full entry into force of the Treaty of Tlatelolco thus marks a major step towards general and complete disarmament, and we trust that it will prove to be an encouragement to us in making further progress in consolidating other such treaties in other regions throughout the world. Taken together with the regime established by the Antarctic Treaty, the full entry into force of the Treaty of Tlatelolco will certainly contribute to the consolidation of a southern hemisphere free from nuclear weapons.

Mr. Mahmoud (Iraq) (*spoke in Arabic*): The First Committee will be taking action on draft resolution A/C.1/57/L.14 on the effects of the use of depleted uranium in armaments. A similar draft resolution was adopted last year. This issue is directly linked with the need to protect the world from a new type of armament.

I should like to clarify certain points in this regard. First, the recommendations of the European Committee on Radiation Risk (ECRR) of 2001 declared that the use of depleted uranium in armaments posed major risks. Depleted uranium is very dangerous when used in this manner, according to the study. It causes cancer, in particular leukaemia — cancer of the blood.

Secondly, a March 2001 United Nations Environment Programme study showed that, three years after the use of depleted uranium in Serbia and Montenegro, low-density atmospheric and soil contamination persists. Those studies concluded that water, too, could be polluted in future.

Thirdly, the European Parliament adopted a resolution last year on the effects of depleted uranium munitions. On 17 January 2001, the Parliament voted to urge NATO to put an end to the use of depleted uranium in armaments. Some member States of the European Union also requested that an end be put to the use of these weapons, but those appeals were not heeded.

Fourthly, many studies carried out by the World Health Organization, the International Atomic Energy Agency and many research and study centres and non-governmental organizations, as well as warnings issued, noted the major risks inherent in the use of depleted uranium in armaments.

Fifthly, studies have shown that more than 200,000 people who took part in the Gulf War were stricken with what is known as "Gulf syndrome", which was followed by the "Balkan syndrome", after that war.

The extensive use of depleted uranium in armaments in the past decade and at the beginning of this century has given rise to major threats. This compels us to call for an end to this practice. The point of departure for this, of course, is the First Committee, which deals with disarmament.

If the Member States of our Organization do not respond to the concerns of their peoples and do not fulfil their responsibility to put an end to the use of depleted uranium and hence to its emissions, which will pollute the environment for thousands of years to come, who will?

Some States might think that Iraq is urging the adoption of the draft resolution because of purely national concerns, not global ones. But this is not the case. We are concerned about the use of depleted uranium in future by those States that have used it in the past — as stated explicitly by the Minister for Defence of one of those countries.

Can anyone in this room say that this concern is not legitimate? Approximately 800 to 1,000 tons of depleted uranium were used against Iraq in 1991, resulting in a major increase in cancer, miscarriages and birth defects, as well as environmental pollution in territories where civilization had prospered for more than 6,000 years. But that is not why we have submitted this draft resolution. We are working to

achieve the objectives that underlay the creation of our Organization.

We hope that States will learn from our painful experience and that this will serve as a deterrent against the reuse of this kind of weapon.

During a similar meeting last year, we heard various interpretations as well as justifications — which we will probably hear again this year — for opposing the draft resolution. But as I said at the beginning of my statement, these run counter to the studies done by the international community. Nonetheless, my delegation has tried to respond to these interpretations, stating that the text could be modified in order to achieve a consensus. However, we have met with total refusal in this regard.

Draft resolution A/C.1/57/L.14 requests the Secretary-General to seek the views of States and relevant organizations on the effects of the use of depleted uranium in armaments in all their aspects, and to submit a report thereon to the General Assembly at its fifty-eighth session.

That modest request is a first starting point for serious international studies that would further clarify the issue without politicizing it. We hope that Member States will support the draft, especially the developing countries, the so-called third world, which will not want to acquire such weapons — weapons which are usually used on their territory in such large quantities as I have cited.

Mr. Nielsen (Denmark): I have the honour to speak on behalf of the European Union (EU) and the countries of Eastern and Central Europe associated with the European Union — Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, Slovenia — and the associated countries Cyprus, Malta and Turkey. The European Free Trade Association countries of the European economic area Iceland and Norway align themselves to this statement as well.

Speaking on the occasion of the presentation to the Secretary-General of the joint ministerial declaration in support of the Comprehensive Nuclear-Test-Ban Treaty (CTBT), I would like to reiterate the importance that the EU attaches to the early entry into force of the Treaty. As a sign of the strength of the EU commitment to this goal all EU member States have associated themselves with the declaration. The EU wishes to use this opportunity to call, once more, on those States that have not yet done so to sign and ratify the CTBT without delay and without condition.

The Chairman: That is the end of the general statements. I call on those delegations wishing to explain their vote or position before the vote.

Mr. Schumacher (Germany): I would like to explain Germany's vote on both resolutions introduced by the New Agenda Coalition, draft resolution A/C.1/57/L.3/Rev.1, "Towards a nuclear-weapon-free world", and draft resolution A/C.1/57/L.2/Rev.1, "Reductions of non-strategic nuclear weapons". In 2000 Germany voted in favour of the New Agenda Coalition draft resolution, entitled "Towards a nuclear-free world". Germany is fully committed to the goal of complete and irreversible nuclear disarmament. We are convinced that as part of the process to achieve this goal, all non-strategic nuclear weapons must be eliminated. We share the commitment to full and effective implementation of the substantial agreements reached at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

Indeed, renewed vigorous efforts are needed to this end. The New Agenda Coalition has presented two important draft resolutions this year on nuclear disarmament. We agree with the final objective of a nuclear-free world. However, we are convinced that this goal cannot be achieved all at once. There is no alternative to a gradual, step-by-step approach leading to the complete elimination of nuclear weapons. Regrettably, the two draft resolutions do not take due account of this fundamental point. Textual suggestions we made have not been incorporated. In addition, some positive elements which have undeniably taken place are not reflected. For these reasons, Germany has reluctantly decided to abstain in the vote on both draft resolutions.

The Chairman: Does any other delegation wish to explain their vote or position before the vote? I see none.

The Committee will now take a decision on draft resolution A/C.1/57/L.3/Rev.1.

A recorded vote has been requested.

I call on the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): The Committee will now proceed to take a decision on draft resolution A/C.1/57/L.3/Rev.1, submitted under agenda item 66 (b), "General and complete disarmament", entitled "Towards a nuclear-weapon-free world: the need for a new agenda". This draft resolution was introduced by the representative of Ireland at the Committee's 11th meeting, on 14 October 2002. The sponsors are listed in the draft itself. In addition, the following countries have also become sponsors of the draft resolution: Austria, Bolivia, Burkina Faso, Burundi, Cambodia, Chile, Costa Rica, Côte d'Ivoire, Dominican Republic, Ecuador, El Salvador, Gambia, Ghana, Grenada, Jordan, Kenya, Kuwait, Paraguay, Saint Vincent and the Grenadines, Samoa, San Marino, Sierra Leone, Uruguay and Vanuatu.

A recorded vote was taken.

In favour:

Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Georgia, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Indonesia, Iran (Islamic Republic of), Ireland, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Nigeria, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tonga, Trinidad and Tobago, Tunisia, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia

Against:

France, India, Israel, Monaco, Pakistan, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Albania, Australia, Belgium, Bhutan, Bosnia and Herzegovina, Bulgaria, Cameroon, Croatia, Czech Republic, Denmark, Estonia, Finland, Germany, Greece, Hungary, Iceland, Italy, Japan, Latvia, Lithuania, Luxembourg, Mauritius, Netherlands, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Slovakia, Slovenia, Spain, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Uzbekistan, Yugoslavia

Draft resolution A/C.1/57/L.3/Rev.1 was adopted by 118 votes to 7, with 38 abstentions.

The Chairman: Before proceeding to the next item I give the floor to the following delegations — the Russian Federation, China, Switzerland, Colombia and the United Kingdom — to explain their vote or position on the draft resolution just adopted.

Mr. Vasiliev (Russian Federation) (*spoke in Russian*): As Russia is taking the floor for the first time today, I wish to express our gratitude for the recent words of condolence and compassion that have been conveyed to the Russian delegation over the terrorist act taking place in Moscow and for the condemnations of the terrorists. The events in Moscow clearly demonstrate yet again the clear threat to our security and stability. To our deep regret, the attack is not the only reminder of that threat that we have received during the current work of the First Committee. The seizure of hostages in Moscow has shown the international community the urgency of directing our efforts to addressing the genuine threats facing humankind.

The issues raised in the draft resolution entitled "Towards a nuclear-weapon-free world: the need for a new agenda" concerning nuclear disarmament and non-proliferation are extremely timely and important. We share the views expressed by States that we must promote nuclear disarmament in any way possible. The positions and views of Russia are very similar to those reflected in the many new provisions of the draft resolution, which are not appearing for the first time, including the question of the inadmissibility of steps that would lead to the weaponization of outer space,

concern over the development of strategic missile defences, and the argument for the importance of genuine and irreversible cuts in nuclear weapons.

We agree with the appeal for the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty and the launching of negotiations on the fissile material cut-off treaty, and we welcome these provisions.

We would point out that Russia, as depositary of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and a tireless advocate of nuclear disarmament, is actively working to strengthen the Treaty. We are committed to the decisions taken at the 2000 Review Conference of the Parties to the NPT and are taking concrete steps to implement the measures set forth in the Final Document of the Conference, in particular the so-called 13 steps in the area of nuclear disarmament. We believe that the long-term Programme of Action to strengthen the international non-proliferation regime, contained in the Final Document, defines those concrete steps that we must all take in the nearest future. Russia is undertaking those steps actively and consistently.

Nevertheless, it was difficult for us to agree with all the critical evaluations and recommendations to be found in the draft resolution. I am thinking, inter alia, of the prematurity of some of the measures proposed, including those pertaining to non-strategic nuclear weapons. It is well known that the process of nuclear disarmament is extremely complex, costly and multifaceted. We need to take a balanced and comprehensive approach in this respect and to make progress towards a nuclear-weapon-free world without undue haste, unrealistic guidelines and tasks or artificial delays.

Russia is prepared to pursue dialogue with all interested States on enhancing the non-proliferation regime and on further disarmament measures, and believes that the Conference on Disarmament in Geneva is the most acceptable venue for conducting such work.

Mr. Hu Xiaodi (China) (*spoke in Chinese*): The Chinese delegation voted in favour of draft resolution A/C.1/57/L.3/Rev.1, entitled "Towards a nuclear-weapon-free world: the need for a new agenda". We support its principle thrust, objectives and content on the promotion of nuclear disarmament and the early achievement of a nuclear-weapon-free world.

The principles of preserving global strategic stability and undiminished security for all countries are essential to fulfilling the objectives of nuclear disarmament. All nuclear-weapon States should undertake not to be the first to use nuclear weapons, which is critical to the realization of complete nuclear disarmament. Transparency in nuclear weapons is necessary for the establishment of an international environment of peace, stability and confidence and should be taken into consideration in negotiations on nuclear disarmament.

All States parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) should submit their national reports in strict accordance with the Final Document adopted at the 2000 Review Conference of the Parties to the NPT, and these reports should not be interpreted in any other context.

Neither the concept nor the definition of non-strategic nuclear weapons is clear. We therefore reserve our position on the relevant parts of the draft resolution. We hope that these points and other contextual deficiencies of draft resolution A/C.1/57/L.3/Rev.1 can be improved in the future.

Mr. Faessler (Switzerland) (*spoke in French*): At the outset, allow me to express my delegation's deep sorrow over the events currently taking place in Moscow.

Switzerland should like to clarify its position on draft resolution A/C.1/57/L.3/Rev.1, entitled "Towards a nuclear-weapon-free world: the need for a new agenda", which the Committee has just adopted.

Switzerland's full and irreversible commitment to nuclear disarmament and non-proliferation is well known, and I had the opportunity to recall my country's position in our general statement made to the Committee. Switzerland attaches the greatest importance to the complete and full implementation by all parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) of the 13 steps adopted at the 2000 Review Conference of the Parties to the NPT. We thank the authors of the draft resolution for recalling that importance.

My country believes that progress in nuclear non-proliferation and disarmament should be made gradually, in a realistic and balanced manner and in a spirit of constructive cooperation and dialogue. Moreover, however timid and scant, the steps that have

been undertaken to that end should encourage more substantial and speedier progress. These are elements which, Switzerland believes, should also be taken into account in the future and ought to have been better highlighted in the draft resolution on which we have just voted.

With respect to the reduction in non-strategic nuclear weapons, it, too, is an important objective of Swiss disarmament policy. My country favours a multilateral, universal and verifiable agreement on the total prohibition of such weapons. However, Switzerland would prefer at this stage not to have the priorities of a General Assembly resolution drawn from among the 13 measures adopted in 2000 by the States parties to the NPT. Those measures, in our view, are a set that should be implemented in a balanced manner. My country feels that these aspects could also have been better reflected in the draft resolution we have just adopted.

For these reasons, my country abstained in the voting.

Mr. Rivas (Colombia) (*spoke in Spanish*): With respect to the thirteenth preambular paragraph and operative paragraphs 9 and 11 of draft resolution A/C.1/57/L.3/Rev.1, on which the Committee has just voted, in connection with the Comprehensive Nuclear-Test-Ban Treaty (CTBT), Colombia wishes to reiterate its statement in explanation of vote on draft resolution A/C.1/57/L.4/Rev.1, made on Monday, 21 October. In line with international law, and in accordance with Colombia's political constitution, obligations envisaged in a treaty signed by a country can only be brought to bear once ratification has been accomplished. Colombia has aired its arguments publicly and in a transparent manner over the last two years when dealing with the secretariat of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) as well as earlier on in the preparatory committee.

Moreover, Colombia reaffirms that it shall seek to work out satisfactory arrangements in this connection with the secretariat of the CTBT to allow us to ratify this major international instrument at the earliest date possible.

Mr. Broucher (United Kingdom): I will speak on behalf of the United Kingdom, the United States and France to explain our vote against the draft resolution contained in document A/C.1/57/L.3/Rev.1. In 2000, the most recent year in which the countries of the new agenda coalition tabled a substantive resolution, we were glad that the resolution reflected the consensus that had been established at the Nuclear Non-Proliferation Treaty (NPT) Review Conference in April/May of that year.

There are, of course, important elements in A/C.1/57/L.3/Rev.1 that we support, such as the call for negotiation for a fissile material cut-off treaty that has reference to International Atomic Energy Agency (IAEA) safeguards and the need for compliance. We are, however, sorry to find that the text contains many new elements that do not command consensus, a number of which are not acceptable to the United Kingdom, the United States and France.

I notice an example in preambular paragraph 16 that presumes that all five nuclear-weapon States should already be involved in negotiations on the reduction of nuclear weapons. This was not part of the agreement at the NPT Review Conference in 2000. Our countries remain committed to fulfilling our obligations under article 6 of the NPT. We continue to support reductions in nuclear weapons worldwide to this end. We believe that this draft resolution does not take due account of the progress that has in fact been made towards this goal since 2000, including agreements in the Moscow Treaty to reduce several thousand strategic nuclear warheads over the next decade.

There are many other paragraphs in the text with which the United Kingdom, the United States and France cannot agree. For example, preambular paragraph 9 seems to imply that nuclear disarmament is the only imperative of the NPT and operative paragraph 5 singles out security assurances for priority treatment in relation to the 2005 NPT Review Conference. I shall not list all our concerns, which we made clear in discussions with the sponsors of the draft resolution.

Our nuclear disarmament and non-proliferation commitments remain steadfast and rooted in the NPT. We believe that the sponsors of this draft resolution share our attachment to that Treaty and the importance we place on its review process and its continued success. The present review process has begun well and we hope that as it progresses, continuing dialogue among States parties will lead to constructive and realistic approaches that can help ensure the continued

strength of the NPT at a time of serious challenges to its non-proliferation objective.

Mr. Sood (India): My delegation has asked to speak to explain its vote on the draft resolution contained in document A/C.1/57/L.3/Rev.1. The only consensus document adopted by the international community as a whole in the field of disarmament was the final document of the tenth special session of the General Assembly devoted to disarmament.

It contains a programme of action that remains only partially implemented. We believe that any agenda for the future would have to take into account, as the starting premise, implementation of the programme of action contained in the final document of the General Assembly's first special session on disarmament. It should be evident that the international community has achieved little progress on the most important element, which is nuclear disarmament. This raises the question of whether there is a need for a new agenda at all when the most important element in the existing one remains valid but unaccomplished.

Furthermore, the resolution cast in the NPT framework includes the extraneous elements in formulations that have been adopted in other forums. We reject the prescriptive approaches to security issues, such as those contained in preambular paragraph 20 and operative paragraphs 18, 19 and 20, as they are irrelevant to this draft resolution and do not reflect the reality on the ground.

India has already exercised its nuclear option and is a State with nuclear weapons with the policy of minimum credible nuclear deterrent. It is not a status for which we seek confirmation nor is it a status for others to grant; it is a reality that cannot be denied and which has to be factored in any agenda that seeks to be realistic.

The reference in operative paragraph 20 to a nuclear-weapon-free zone in South Asia not only borders on the unreal, but calls into question one of the fundamental guiding principles for the establishment of nuclear-weapon-free zones, namely, that arrangements for such zones should be freely arrived at among States of the region concerned. This principle was also endorsed by consensus in the guidelines adopted by the United Nations Disarmament Commission. As we have stated on other occasions, given current realities, the proposal for a nuclear-weapon-free zone in South Asia is no more valid than proposals for such zones in East Asia, Western Europe or North America.

My delegation's views on the NPT are well known; we sympathize with the efforts of those States parties that have been striving in vain over the years to get the five nuclear-weapon States parties to the NPT to accept concrete steps towards nuclear disarmament and complete elimination of these weapons. The draft resolution is silent on the multifarious sources of proliferation that the NPT has failed to stem. We believe that all such efforts, however worthy and energetic, would be limited by the intrinsic inequality and discriminatory framework of obligation enshrined in the NPT. As we have maintained, the new agenda cannot succeed in the old framework of this Treaty. There is a need to move beyond an old framework towards a durable system of international security based upon the principles of equal and legitimate security for all.

My delegation also shares the objective of total elimination of nuclear weapons and the need to work for a nuclear-weapon-free world. However, we remain unconvinced about the utility of an exercise bound by the flawed and discriminatory approaches of the NPT. Therefore, my delegation has cast a negative vote on the draft resolution.

Mr. Durrani (Pakistan): The Pakistan delegation is taking the floor to explain its position on the draft resolution contained in document A/C.1/57/L.3/Rev.1.

The draft resolution this year has incorporated numerous elements from the Final Document of the 2000 Review Conference, to which we do not agree because of its unjustified and discriminatory demands on my country. In preambular paragraph 20 and operative paragraph 18, I wish to state once again that we have never asked for any special status, but we should continue to maintain our ability to deter nuclear or other aggression from any quarter. Paradoxically, the provisions of the preambular paragraph 20 and operative paragraph 18 may have the opposite effect of what it is actually trying to achieve. In any case, those paragraphs indirectly imply that certain States have a special status in continuing to possess nuclear weapons. For those reasons, the delegation of Pakistan was constrained to vote against this draft resolution.

Mr. Shaw (Australia): My delegation is taking the floor to clarify our position on the resolution entitled "Towards a nuclear-weapon-free world: the

need for a new agenda". The proliferation of nuclear weapons remains one of the most serious challenges to global peace and security. Australia, as a non-nuclear-weapon State, is therefore strongly committed to efforts to curb the spread of such weapons and to advance the goal of nuclear disarmament.

In that regard, we support a realistic, balanced and stepwise approach to nuclear disarmament and therefore were pleased to sponsor Japan's draft resolution on a path to total elimination of nuclear weapons. I particularly welcome the paragraphs in that draft that gave expression to the outcome of the 2000 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). And while we are able to support many aspects of the draft resolution entitled "Towards a nuclear-weapon-free world: the need for a new agenda", regrettably, we do have several substantive difficulties with the text. In particular, we believe that this draft lacks sufficient balance in some respects and does not accurately reflect the commitments contained in the Final Document of the 2000 NPT Review Conference, for example, in relation to non-strategic nuclear weapons. We also believe that references in this resolution to missile defence and national security strategies will do nothing to advance the goal of nuclear disarmament. For those reasons, Australia has abstained on this draft resolution.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/57/L.14.

A recorded vote has been requested.

Before proceeding to that stage, the following delegations — the United States and Denmark, on behalf of the European Union — have asked for the floor in explanation of vote before the vote.

Mr. McGinnis (United States of America): The United States will vote "no" on the draft resolution "Effects of the use of depleted uranium in armaments". The agenda of the General Assembly does not need an item on this subject, especially since the World Health Organization and the United Nations Environment Programme have already conducted thorough and convincing studies. Those studies, in turn, have concluded that the use of depleted uranium in armaments has not been shown to have a notable effect on the environment or on the health of human beings. The second and third preambular paragraphs of the draft resolution imply that depleted uranium could be considered a new type of weapon of mass destruction. Although this assertion does not rise to the level of seriousness that might deserve a reply, it reinforces our conviction that voting "no" is the only appropriate alternative for the delegation of the United States. And we urge all other delegations to do the same.

Mr. Nielsen (Denmark): I am, indeed, pleased to speak on behalf of the European Union on draft resolution A/C.1/57/L.14 entitled "Effects of the use of depleted uranium in armaments". The Central and Eastern European countries associated with the European Union — Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia — and the associated countries Cyprus, Malta and Turkey, as well as the European Free Trade Association countries members of the European Economic Area Iceland and Norway align themselves with this explanation of vote before a vote is taken.

The European Union has decided to vote against this draft resolution on the effects of the use of depleted uranium in armaments. Two overall considerations have led to this position. First, we can by no means subscribe to the second preambular paragraph of the draft resolution, which qualifies depleted uranium as a weapon of mass destruction. Secondly, regarding the fourth preambular paragraph, we reiterate that international organizations such as the World Health Organization and the United Nations Environment Programme have carefully examined the issue of possible pathological effects of the use of depleted uranium in armaments. They have concluded that at this stage, there is no evidence that depleted uranium in armaments has a notable impact either with regard to pathology or with regard to the environment.

Mr. Durrani (Pakistan): I have taken the floor to explain Pakistan's position with regard to the agenda item entitled "Effects of the use of depleted uranium", as contained in document A/C.1/57/L.14. My delegation does not agree with the implications of the second and third preambular paragraphs. In our view, depleted uranium munitions are conventional weapons. While it is legitimate to examine the effects on health from a radiological point of view, a matter already under the scrutiny of the International Atomic Energy Agency and the World Health Organization, the suggestion that they are weapons of mass destruction is not borne out by objective evidence. Therefore, my

delegation would be constrained to abstain on the resolution.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/57/L.14.

A recorded vote has been requested.

I call on the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): Draft resolution A/C.1/57/L.14, entitled "Effects of the use of depleted uranium in armaments", was introduced by the representative of Iraq at the 16th meeting, on 18 October 2002.

A recorded vote was taken.

In favour:

Algeria, Angola, Antigua and Barbuda, Brunei Darussalam, Burkina Faso, Cuba, Democratic People's Republic of Korea, Ecuador, Egypt, Ghana, Guyana, Haiti, India, Indonesia, Jamaica, Jordan, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malaysia, Mauritius, Morocco, Myanmar, Oman, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, Venezuela, Viet Nam, Yemen, Zambia

Against:

Albania, Andorra, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kuwait, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Nicaragua, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uzbekistan, Yugoslavia

Abstaining:

Argentina, Bahamas, Bahrain, Bangladesh, Belarus, Bhutan, Bolivia, Botswana, Brazil, Cameroon, Chile, China, Colombia, Congo, Costa Rica, Dominican Republic, Eritrea, Ethiopia, Grenada, Guinea, Kazakhstan, Kenya, Kyrgyzstan, Lesotho, Madagascar, Malawi, Mali, Mauritania, Mexico, Mongolia, Namibia, Nepal, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Russian Federation, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Swaziland, Thailand, Togo, Tonga, Uganda, Ukraine, United Republic of Tanzania, Uruguay, Vanuatu

Draft resolution A/C.1/57/L.14 was rejected by 59 votes to 35, with 56 abstentions, and 41 members not voting.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/57/L.24/Rev.1.

I call on the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): Draft resolution A/C.1/57/L.24/Rev.1, submitted under agenda item 66, "General and complete disarmament" and entitled "Establishment of a nuclear-weapon-free zone in Central Asia", was introduced by the representative of Uzbekistan. The sponsors of the draft resolution are listed in document A/C.1/57/L.24/Rev.1.

The Chairman: The sponsors of the draft resolution have expressed the wish that the Committee adopt the draft resolution without a vote. Unless I hear any objection, I shall take it that the Committee would like to act accordingly.

Draft resolution A/C.1/57/L.24/Rev.1 was adopted.

The Chairman: I call on the representative of India, who wishes to speak in explanation of position on the draft resolution just adopted.

Mr. Sood (India): My delegation joined the consensus on the draft resolution contained in document A/C.1/57/L.24/Rev.1, entitled "Establishment of a nuclear-weapon-free zone in Central Asia". We take note that the proposal for the establishment of a nuclear-weapon-free zone in Central Asia is supported by all the States of the region. That conforms to the requirement that such arrangements should be freely arrived at among the States of the

region concerned. We are particularly happy that the efforts of the Central Asian States, with which India historically enjoys close and friendly ties, are getting the international support that they deserve. We respect the choice made by the Central Asian States and stand prepared to extend all possible support and commitment in response to an expressed need for the early realization of a nuclear-weapon-free zone in Central Asia.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/57/L.27. A recorded vote has been requested.

I shall now call on those representatives who wish to speak in explanation of vote or position before the voting.

Mr. McGinnis (United States of America): The United States opposes the draft resolution entitled "The risk of nuclear proliferation in the Middle East", as we have with similar texts every year since this one-sided initiative took shape.

Everyone in this room knows that the overriding political fact of the Middle East is the regrettable lack of a peace settlement between Israel and its Arab neighbours. My country's deep concern about these circumstances and our efforts to promote an enduring reconciliation are likewise well known.

The draft resolution before us does not meet the fundamental test of fairness and balance. The text confines itself to expressions of concern about activities of a single country, whereas it omits any reference to other questions and issues that relate to the problem of nuclear-weapon proliferation in the region. For example, the draft resolution does not mention the Middle Eastern country that has been found to be not in compliance with the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). It likewise does not allude to the steps that some nations in the region are taking to develop the capacity to acquire nuclear weapons, even though they are parties to the NPT. Further, we do not find any comment in the text on the failure of some Middle Eastern States to fulfil their NPT obligations by concluding safeguards agreements, or a recommendation that Middle East States sign an International Atomic Energy Agency additional safeguards protocol.

The United States regrets the draft resolution's selective use of one-sided passages from the final document of the 2000 NPT Review Conference. This political distortion does not enhance the NPT regime. In an overall sense, the draft resolution does not advance the cause of non-proliferation, and is more likely to impair it.

For all of those reasons, the United States will once again vote no. We call on others to join us in doing so.

Mr. Durrani (Pakistan): I have asked for the floor to express our support for the draft resolution entitled "The risk of nuclear proliferation in the Middle East", which is contained in document A/C.1/57/L.27.

However, my delegation would like to express our reservations on the fifth preambular paragraph and on operative paragraph 3, which call for the universalization of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). Pakistan is not a party to the NPT. As a State that possesses nuclear weapons, we cannot, obviously, accede to the NPT or accept those provisions of draft resolution A/C.1/57/L.27.

Mr. Bar (Israel): The First Committee is again called upon to vote on the draft resolution entitled "The risk of nuclear proliferation in the Middle East" — a draft resolution that is blatantly one-sided, contentious and divisive and that undermines, rather than enhances, confidence among the States of the Middle East region.

Since this draft resolution was introduced, many developments have occurred that are related directly to nuclear proliferation and to the proliferation of other weapons of mass destruction in the Middle East. Not least among them is the sombre experience gained by the United Nations Special Commission and the International Atomic Energy Agency Action Team. In addition, other efforts are under way in the region to acquire the capacity for weapons of mass destruction and for ballistic missiles, as our delegation pointed out during the general debate.

The bias of this draft resolution stems from its neglect of the fact that the real risk of proliferation in the Middle East emanates from countries that, despite being parties to international treaties, do not comply with their relevant international obligations. Those countries are engaged in ongoing efforts to acquire weapons of mass destruction and ballistic missiles — efforts that have a destabilizing effect, not only regionally but on a global scale as well. The draft resolution chooses to ignore the profound hostility

towards Israel on the part of those countries, which continue to reject any form of peaceful reconciliation and coexistence in the region. Adopting a draft resolution that does not reflect that reality will not serve the greater objective of curbing proliferation in the Middle East. Resolutions regarding the complex arms control problems in the Middle East should focus on objective ways to address them as they exist.

This draft resolution focuses entirely on one country that has never threatened its neighbours or abrogated its obligations under any disarmament treaty. Moreover, it singles out Israel in a manner in which no other United Nations Member State is being singled out in the First Committee. Singling out Israel is counterproductive to confidence-building and to peace in the region and does not lend this body any credibility.

Israel's supreme objective is to achieve peace and security. Its non-proliferation and arms control policy is aimed at supporting that objective. The constructive approach that Israel has adopted over the years towards arms control and non-proliferation efforts was described in our statement during the general debate. It is best demonstrated by our attitude towards the draft resolution on the establishment of a nuclear-weapon-free zone in the Middle East, despite substantive reservations regarding its modalities, and it is strongly undermined by the introduction of this biased draft resolution.

Two years ago, new language was introduced to this draft resolution. That language is unbalanced and is a selective representation of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) Review Conference final document, using that Treaty for yet another political assault against Israel. That unbalanced approach remains, despite the reference made to the need for compliance by all countries with their international obligations, which refers to Iraq. The fact that, for some countries, the language of this draft resolution is considered balanced is a source of deep disappointment for us.

The First Committee should not become a venue for discrimination on political grounds. We should like to call upon representatives to vote against this draft resolution.

The Chairman: The Committee will now proceed to take a decision on draft resolution A/C.1/57/L.27.

A recorded vote has been requested. There will be two votes on this draft resolution: a separate vote on the sixth preambular paragraph and then a vote on the draft resolution as a whole.

I call on the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): Draft resolution A/C.1/57/L.27, entitled "The risk of nuclear proliferation in the Middle East", was introduced by the representative of Egypt on behalf of the States Members of the United Nations that are members of the League of Arab States at the Committee's 14th meeting, on 17 October 2002.

The Committee will first take a recorded vote on the sixth preambular paragraph of draft resolution A/C.1/57/L.27, which reads as follows:

> "*Recognizing with satisfaction* that, in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the Conference undertook to make determined efforts towards the achievement of the goal of universality of the Treaty on the Non-Proliferation of Nuclear Weapons, and called upon those remaining States not parties to the Treaty to accede to it, thereby accepting an international legally binding commitment not to acquire nuclear weapons or nuclear explosive devices and to accept International Atomic Energy Agency safeguards on all their nuclear activities, and underlined the necessity of universal adherence to the Treaty and of strict compliance by all parties with their obligations under the Treaty".

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany,

Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia

Against:

India, Israel

Abstaining:

Bhutan, Marshall Islands, Pakistan, United States of America, Vanuatu

The sixth preambular paragraph of draft resolution A/C.1/57/L.27 was retained by 153 votes to 2, with 5 abstentions.

The Chairman: I call on the Secretary of the Committee to conduct the voting on the draft resolution as a whole.

Mr. Sattar (Secretary of the Committee): The Committee will now take a decision on draft resolution A/C.1/57/L.27 as a whole.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia

Against:

Israel, Marshall Islands, Micronesia (Federated States of), United States of America

Abstaining:

Australia, Cameroon, Canada, Ethiopia, India, Papua New Guinea, Tonga, Trinidad and Tobago, Vanuatu

Draft resolution A/C.1/57/L.27 as a whole was adopted by 150 votes to 4, with 9 abstentions.

The Chairman: I now call on those delegations wishing to explain their position or vote on the draft resolution just adopted.

Mr. Westdal (Canada): I have asked for the floor to explain Canada's abstention from voting on draft

resolution A/C.1/57/L.27, entitled "The risk of nuclear proliferation in the Middle East". Canadian policy regarding the universalization of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) is well known. In our general statement earlier this month, we called on India, Israel and Pakistan to accede to and abide by this Treaty.

Further, Canada supports the Final Document of the 2000 NPT Review Conference, which called on all States not yet party to the Treaty to accede to it as non-nuclear-weapon States. However, in our view, the draft resolution, in its operative paragraphs, fails to deal with our concerns respecting compliance with the NPT.

Canada maintained its abstention on this draft resolution, because, like last year's text, it fails to deal appropriately with both adherence to, and full compliance with, the NPT.

Mr. Sood (India): We have asked for the floor to explain our vote on draft resolution A/C.1/57/L.27, entitled "The risk of nuclear proliferation in the Middle East".

India abstained on the draft resolution as a whole and cast a negative vote on the sixth preambular paragraph, where it makes a reference to the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), which calls for universal adherence, an issue on which India's views are well known and have been articulated in this Committee earlier this morning and on previous occasions. We believe that it is necessary to limit the focus of this draft resolution to the region that it intends to address.

India considers that the multifarious issues in this draft resolution have received widespread consideration in the international community. We hope that it will be possible to make progress on issues involved in coming years through the positive contributions by the States of the region concerned.

Mr. Bar (Israel): Our delegation is disappointed that this draft resolution has been adopted by the First Committee. If anyone supported this draft resolution believing that it in any way alleviates the acute and pressing security demands of the region, they are doing themselves, and the people of the region, a grave disservice.

The Chairman: The Committee will now proceed to consider cluster 4, namely, conventional weapons. I shall now call on the following representatives of delegations who wish to speak in explanation of vote or position before the vote: Kuwait, on behalf of the Arab Group, Jordan, Algeria and Canada.

Mr. Al-Banai (Kuwait) (*spoke in Arabic*): On behalf of the League of Arab States Members of the United Nations, I would like to touch on the draft resolution entitled "National legislation on transfer of arms, military equipment and dual use goods and technology", as contained in document A/C.1/57/L.18/Rev.1.

The member States of the League of Arab States will vote in favour of this draft resolution, because of its message, content and purpose, all of which support efforts aimed at the non-proliferation of weapons of mass destruction in a manner that corresponds to the commitments made by these States in accordance with the relevant international instruments and treaties.

The Arab States will abstain from voting on the second preambular paragraph, which reads, in part: "inter alia, both to control transfers that could contribute to proliferation activities ...". We are abstaining because we believe that some States adopt an expanded explanation in an exaggerated way vis-à-vis their commitments and obligations regarding the limiting of the exportation of dual-use goods and commodities, which contravenes their commitments to international instruments relating to facilitating the transfer of science and technology for peaceful purposes. The exaggerated politicization in interpreting the commitments of countries that export technology and dual-use goods to specific States and their attempts to create a legal codification for that, as well as making arrangements of limited membership for control of transfers of limited products, exceed the safeguards of international instruments that guarantee the peaceful use of technology and trading therein for these purposes. These practices contradict both the letter and spirit of the relevant conventions and bring about imbalances in these instruments.

In conclusion, I would like to extend our thanks and appreciation to Ambassador Chris Sanders of the Netherlands in Geneva for his efforts to respond to some of our concerns regarding this draft resolution. He did manage to treat some of those concerns.

Mr. Goussous (Jordan): I would like to associate myself with the statement of the representative of

Kuwait made on behalf of Arab country members of the League of Arab States.

Our delegation will vote in favour of draft resolution A/C.1/57/L.18/Rev.1, but I would like to refer to the insertion of the 13 words in the second preambular paragraph which, in our opinion, is inconsistent with the idea behind dealing with peaceful use, since control over arms transfers is dealt with in the first and third preambular paragraphs, as well as in the first operative paragraph of the draft resolution.

Mr. Maandi (Algeria) (*spoke in Arabic*): My delegation associates itself with the statement made by the representative of Kuwait, on behalf of the States of the League of Arab States.

My delegation would like to make some comments about draft resolution A/C.1/57/L.18/Rev.1. My country's commitment to disarmament remains firm and strong, as embodied in its peaceful policies that promote the peaceful uses of technology for the economic growth and development in my country. Our accession to all conventions on the non-proliferation of weapons of mass destruction, which also represent the fundamental pillar of disarmament, and the promotion of the peaceful uses of technology indicates our adherence to the collective objective of eliminating those weapons in their entirety from the globe and preventing their proliferation.

In that context, it is important to find a balance, between our concern for the proliferation of weapons of mass destruction and the requirements of the transfer of technology and dual-usage equipment for peaceful use and for the promotion of our social, health and economic situations.

The accession by States to treaties on the non-proliferation of weapons of mass destruction grants them the right to import all equipment and goods necessary for their development. Hence, my delegation calls for the elimination of all obstacles and restrictions, which increase daily and impede the efforts of the developing countries, so that we can use and control technology for strictly peaceful purposes.

Today, we see systems created outside the framework of those conventions. They place considerable restrictions on developing countries, and the justification used is non-proliferation of weapons of mass destruction. Non-proliferation of weapons of mass destruction, which we fully support, cannot be a rationale for preventing the developing countries from benefiting from technology and improving their peoples' living standards. My delegation reiterates the legitimate right to import technology and all goods for peaceful purposes unconditionally and with discrimination.

In conclusion, inserting a sentence in the second preambular paragraph relating to the control of transfers that could contribute to proliferation activities has created an imbalance in the draft resolution as a whole, since that legitimate concern was expressed in the first preambular paragraph.

Mr. Rusu from Romania, Vice-Chairman, took the Chair.

Mr. Westdal (Canada): Canada strongly supports this draft resolution and its purpose to enhance effective control over the transfer of arms, military equipment and dual-use goods and technology. We commend the Netherlands on that new initiative, and we will be pleased to vote for it.

I have asked for the floor before the vote, though, to emphasize the importance of balance in the draft resolution, particularly the need for the Committee to recall, as this draft resolution would have us do in its second preambular paragraph, the undertakings on the part of States parties to disarmament and non-proliferation treaties to control transfers that could contribute to proliferation activities, on the one hand, and, on the other hand, to facilitate the fullest possible exchange of materials, equipment and technological information for peaceful purposes. It is Canada's view that that balance is essential to the purpose and value of the draft resolution. In anticipation of possible proposals to amend the second preambular paragraph, we would urge that it be retained in the text as it is.

Mr. Shaw (Australia): My delegation is taking the floor to provide an explanation of our vote on the draft resolution entitled "National legislation on transfer of arms, military equipment and dual-use goods and technology". Australia is pleased to support the draft resolution in its entirety, and we urge all other delegations to do likewise.

Effective national legislation is in the vital security interests of all States in preventing proliferation activities, especially the proliferation of weapons of mass destruction. The implementation of effective legislation is the first line of defence against

proliferation and is an essential obligation of all parties to all disarmament and non-proliferation activities. Therefore, all States that are parties to the relevant treaties must implement national legislation that controls transfers that could contribute to proliferation and, at the same time, facilitates the fullest possible exchange of materials, equipment and technological information for peaceful purposes, in accordance with all relevant treaty provisions. We therefore believe that the language contained in the second preambular paragraph is balanced and entirely appropriate and that the draft resolution as a whole is a helpful step that will encourage the effective enforcement of treaty obligations by States parties, including through implementation of national legislation.

Mr. Baeidi Nejad (Islamic Republic of Iran): I am taking the floor to explain my delegation's position before a separate vote is taken on the phrase contained in the second preambular paragraph of the draft resolution contained in A/C.1/57/L.18/Rev.1, entitled "National legislation on the transfer of arms, military equipment and dual-use goods and technology".

My delegation will abstain in the vote on that paragraph when action is taken. Draft resolution A/C.1/57/L.18/Rev.1 is designed mainly to promote the enactment of national legislation with regard to controls on the transfer of arms, military equipment and dual-use goods and technology. It is evident that while there is agreement within the international community on the enactment of such controls — this is stipulated in disarmament agreements — a comprehensive and unified approach is lacking with regard to the mechanism of the application and implementation of such controls.

Export controls that have been established to cover items that "could contribute to proliferation activities" are operated under discriminatory procedures that, in numerous cases, in contravention of international agreements, hamper activities for peaceful purposes. The States parties to multilateral disarmament treaties have the legitimate right to benefit from the transfer of materials, equipment and technology for peaceful purposes. The concept of transfer controls has been sufficiently covered in the title of the draft resolution, as well as in the first and third preambular paragraphs and in operative paragraphs 1 and 2. The only reference to the right of States parties to international agreements and treaties to benefit from peaceful use is in the second preambular paragraph — and even that reference is, unfortunately, again conditional on the fulfilment of an obligation to ensure that such transfers for peaceful purposes "could not contribute to proliferation activities". That phrase is too general and vague and could provide a pretext for hampering the transfer for peaceful purposes for States parties to international treaties.

Multilateral disarmament treaties, such as the Treaty on the Non-Proliferation of Nuclear Weapons, the Chemical Weapons Convention and the Biological Weapons Convention, in addition to numerous General Assembly resolutions, have called for the promotion of international cooperation for peaceful purposes and have requested that any guidelines for regulating the transfer of materials, equipment and technology should be established in a multilaterally agreed framework with the participation of all concerned States so as to ensure that they are effective and non-discriminatory in character. The second preambular paragraph distorts that balance and the language inserted — which will be put to the vote — is not taken from any disarmament agreement or document adopted by the international disarmament forums or treaty review conferences.

We are sorry that the sponsor of the draft resolution, while responding positively to certain aspects of the changes suggested by delegations, disregarded the interests of the countries concerned to work towards an agreed solution that could preserve the positions of various delegations on this question.

Because of the importance of the entire issue of national controls over necessary transfers, however, my delegation will vote in favour of the draft resolution. I should stipulate here, however, that as mentioned in paragraph 1 of the draft resolution, such legislation should be consistent with the obligations of the parties to international agreements and should ensure implementation in accordance with such obligations with regard to peaceful use.

We hope that, given the possibility of further consultations on the issue next year, general agreement can be reached on this important issue.

Mr. Syed Hasrin (Malaysia): My delegation is speaking in explanation of vote on draft resolution A/C.1/57/L.18/Rev.1.

Malaysia supports the thrust of the draft resolution, as we share the conviction that its

implementation would contribute to the promotion of global efforts towards general and complete disarmament. We are confident that, in return, it would contribute to the maintenance of international peace and security. We were pleased that, as a result of fruitful consultations, references to the inalienable right of countries to the development of, research in, production of and use of materials and goods for peaceful purposes, in accordance with the relevant provisions of international disarmament and non-proliferation treaties, were incorporated into the second preambular paragraph and operative paragraph 1. We thank the delegation of the Netherlands in this regard.

However, Malaysia finds that, as currently drafted, the phrase "to control transfers that could contribute to proliferation activities" in the second preambular paragraph is ambiguous and could lead to interpretation that may hamper the legitimate right of countries, in particular developing countries, to acquire and receive the fullest possible exchange of equipment, material and scientific and technological information for peaceful purposes. Such an interpretation would be in contravention of the relevant provisions of international disarmament and non-proliferation treaties pertaining to peaceful use. Therefore, my delegation will abstain in the vote on the phrase in the second preambular paragraph. Our decision to abstain on the phraseology, however, should not be construed as a weakening of Malaysia's resolve in implementing the relevant international disarmament and non-proliferation treaties. Malaysia is committed to, and is fully cognizant of, its obligations as a State party to those treaties, and we will vote in favour of the draft resolution as a whole.

Mr. Nielsen (Denmark): I just want to say that I am pleased to state that the European Union fully endorses the statements made by the representatives of Canada and Australia.

The Acting Chairman: If no other speakers wish to explain their position before action is taken on draft resolution A/C.1/57/L.18/Rev.1, we will proceed to take action on the draft resolution.

A recorded vote has been requested.

I give the floor to the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): The Committee will proceed to take action on draft resolution A/C.1/57/L.18/Rev.1, submitted under agenda item 66, "General and complete disarmament", entitled "National legislation on transfer of arms, military equipment and dual use goods and technology". This draft resolution was introduced by the representative of the Netherlands at the 16th meeting, on 18 October 2002.

The Chairman returned to the Chair.

The Committee will proceed to a separate vote on certain words contained in the second line of the second preambular paragraph. These are: "inter alia, both to control transfers that could contribute to proliferation activities and".

A recorded vote was taken.

In favour:

Afghanistan, Albania, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Belarus, Belgium, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kenya, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Malta, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Togo, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Venezuela, Yugoslavia, Zambia

Against:

None

Abstaining:

Algeria, Bahrain, Bangladesh, Bhutan, Cuba, Djibouti, Egypt, India, Indonesia, Iran (Islamic Republic of), Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malaysia, Marshall Islands, Mauritania, Morocco, Mozambique, Myanmar, Nigeria, Oman, Qatar, Saudi Arabia, Sudan, Syrian Arab Republic, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Yemen

The second preambular paragraph of draft resolution A/C.1/57/L.18/Rev.1 was retained by 117 votes to none, with 31 abstentions.

The Chairman: We shall now proceed to the vote on draft resolution A/C.1/57/L.18 as a whole.

I give the floor to the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): The Committee will now proceed to take action on draft resolution A/C.1/57/L.18/Rev.1 as a whole.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belarus, Belgium, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia

Against:

None

Draft resolution A/C.1/57/L.18/Rev.1 as a whole was adopted by 160 votes to none.

The Chairman: I give the floor to those representatives who wish to make statements in explanation of vote on the draft resolution just adopted.

Mr. Benítez Versón (Cuba) (*spoke in Spanish*): The draft resolution entitled "National legislation on transfer of arms, military equipment and dual use goods and technology", which we have just adopted, deals with a very important issue. My delegation had serious difficulties in lending its support to the draft resolution as initially submitted, because it left out relevant issues that are intrinsically interconnected with the issue of transfer.

That is why, in due course, we approached the authors of the draft and brought to them a series of amendments designed to guarantee that the necessary balance was struck in the draft.

In the revised version, it was recognized that we should facilitate the fullest possible exchange of materials, equipment and technological information for peaceful purposes. Moreover, the revised version included explicit references to the voluntary nature of exchanges of information as well as to the inherent right of self-defence set out in Article 51 of the Charter of the United Nations. Once those changes were made, we had a draft resolution that was far more

comprehensive and balanced. For these reasons, Cuba voted in favour of the draft as a whole.

However, my delegation would have preferred this draft resolution to have been adopted without a separate vote. The ambiguity of the phrase "to control transfers that could contribute to proliferation activities", contained in the second preambular paragraph, is cause for legitimate concern. Because it lacks clarity, that language can be construed in a variety of ways and could be manipulated in order to hinder transfers for peaceful purposes. For those reasons, Cuba decided to abstain in the voting on the language contained in the second preambular paragraph.

Mr. Wiranataatmadja (Indonesia): My delegation fully subscribes to the objective of the draft resolution contained in document A/C.1/57/L.18/Rev.1, especially on the importance of the fullest possible exchange of material, equipment and technological information for peaceful purposes.

At the same time, we believe that technological cooperation for peaceful purposes is equally important and needs to be facilitated for the sake of national development in many countries, especially developing ones.

My delegation believes that the application of ad hoc export regimes persists and has hampered legitimate technological transfers. We believe that, to address proliferation concerns, an international treaty that is comprehensive, non-discriminatory and multilaterally negotiated is important.

It is in this context that we abstained in the voting on the second preambular paragraph and voted in favour of the draft resolution as a whole.

Mr. Bar (Israel): My delegation is taking the floor in order to congratulate the Netherlands for its initiative to present such an important draft resolution and to express our full support for it.

The Chairman: We shall now proceed to consider cluster 7, "Disarmament machinery".

The Committee will proceed to take action on draft resolution A/C.1/57/L.11.

I give the floor to the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): The Committee will now proceed to take a decision on draft resolution A/C.1/57/L.11, entitled "United Nations regional centres for peace and disarmament". This draft resolution was introduced by the representative of South Africa on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries at the 16th meeting of the Committee, on 18 October 2002. In this regard, I should like to draw the Committee's attention to a statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly, which is contained in document A/C.1/57/L.55.

The Chairman: The sponsors of draft resolution A/C.1/57/L.11 have expressed the wish that it be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/57/L.11 was adopted.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/57/L.16. I call on the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): Draft resolution A/C.1/57/L.16, entitled "United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean", was introduced by the representative of Trinidad and Tobago on behalf of the States Members of the United Nations that are members of the Group of Latin American and Caribbean States, at the Committee's 15th meeting, on 17 October 2002. In this connection, I draw the Committee's attention to a statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly, which is contained in document A/C.1/57/L.56.

The Chairman: The sponsors of draft resolution A/C.1/57/L.16 have expressed the wish that it be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/57/L.16 was adopted.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/57/L.35. I call on the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee). Draft resolution A/C.1/57/L.35, entitled "United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific", was introduced by the representative of Nepal at the Committee's 14th meeting, on 17 October 2002. The sponsors of the draft resolution are listed in document A/C.1/57/L.35 and in document A/C.1/57/INF/2. In addition, the following countries have also become sponsors of the draft resolution: Bhutan and Vanuatu. In this connection, I draw the Committee's attention to a statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly, which is contained in document A/C.1/57/L.57.

The Chairman: The sponsors of draft resolution A/C.1/57/L.35 have expressed the wish that it be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/57/L.35 was adopted.

The Chairman: The Committee will now proceed to take action on draft resolutions in cluster 9, "Related matters of disarmament and international security".

The Committee will now proceed to take action on draft resolution A/C.1/57/L.49/Rev.1.

I now call on the representative of Pakistan, who wishes to speak in explanation of position on draft resolution A/C.1/57/L.49/Rev.1 before a decision is taken.

Mr. Durrani (Pakistan): I have taken the floor to explain our position before the Committee takes a decision on draft resolution A/C.1/57/L.49/Rev.1. Pakistan supports the objectives of the draft resolution: that, in view of the enormity and scale of the threats posed by terrorism, there is an urgent need to ensure that weapons of mass destruction do not fall into the hands of terrorists, for such an eventuality would have catastrophic consequences. The nature and complexity of this threat warrant a multi-pronged response, yet my delegation believes that the surest way to eliminate this threat is through the complete elimination of all weapons of mass destruction, including nuclear weapons.

Member States are fully cognizant of the fact that chemical and biological weapons pose a more immediate threat in view of the availability of their precursors and agents and the relatively easy processes involved in the manufacturing of such weapons and their transportation. Therefore, there is an urgent need to address these issues through full compliance and further strengthening of the Chemical Weapons Convention and the Biological Weapons Convention.

While we fully agree with the objectives of the draft resolution, there is also a need to address the underlying causes of terrorism, which lie in suppression, injustice and deprivation. We hope that, in future, all these aspects will be taken into account by the sponsors of the draft resolution.

The Chairman: I call on the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): Draft resolution A/C.1/57/L.49/Rev.1, entitled "Measures to prevent terrorists from acquiring weapons of mass destruction", was introduced by the representative of India at the Committee's 16th meeting, on 18 October 2002. The sponsors of the draft resolution are listed in document A/C.1/57/L.49/Rev.1. In addition, the following countries have also become sponsors of the draft resolution: Colombia, Côte d'Ivoire and Nepal.

The Chairman: The sponsors of draft resolution A/C.1/57/L.49/Rev.1 have expressed the wish that it be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/57/L.49/Rev.1 was adopted.

The Chairman: I shall now call on those representatives who wish to explain their position on the draft resolution just adopted.

Mr. Nielsen (Denmark): It is an honour for me, on behalf of the European Union, to speak on draft resolution A/C.1/57/L.49/Rev.1, entitled "Measures to prevent terrorists from acquiring weapons of mass destruction". The countries of Central and Eastern Europe associated with the European Union — Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia — and the associated countries Cyprus, Malta and Turkey, as well as the countries of the European Economic Area members of the European Free Trade Association Iceland and Norway align themselves with this explanation of position.

The European Union supported the consensus on draft resolution A/C.1/57/L.49/Rev.1. The draft resolution addresses a key concern. The terrorist attacks of 11 September 2001 proved to the world that

international security is indivisible. No State on its own can keep its territory or people safe from the scourge of terrorists, terrorist groups or the threat of their access to weapons of mass destruction. The security and the stability of the international community are being challenged, both globally and regionally, by the risks brought about by the proliferation of weapons of mass destruction and their means of delivery, in particular the growing risks of linkages with terrorism.

Disarmament, arms limitation and non-proliferation can make an essential contribution to the fight against terrorism. To that end, there is an urgent need to promote the adoption, universalization, full implementation and, where necessary, strengthening of multilateral treaties and other international instruments in this field. Treaties and instruments must be effectively implemented and strictly complied with.

The European Union is deeply convinced that the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) is and will continue to be the cornerstone of the global non-proliferation regime and the essential foundation of the pursuit of nuclear disarmament. The NPT is an essential element of first defence against terrorists acquiring weapons of mass destruction. We support wholeheartedly and promote the implementation of the objectives laid down in the Treaty.

We also support efforts already under way in relevant bodies and organizations, including the International Atomic Energy Agency and the Organization for the Prohibition of Chemical Weapons, to strengthen the fight against terrorists seeking to acquire weapons of mass destruction. Export controls, which help to prevent terrorists from acquiring weapons of mass destruction, need to be strengthened. Likewise, the importance of international cooperation, protection and assistance against the use or the threat of use of weapons of mass destruction must be emphasized.

In the face of these tasks, we should enhance and further develop an active political dialogue at the bilateral or the multilateral level with a view to promoting disarmament, arms limitation and non-proliferation policies, also as a means of combating terrorism.

Mr. Bar (Israel): First, I would like to congratulate India on its initiative to submit the present draft resolution and the First Committee on adopting it without a vote.

Last year was a difficult year. Terrorism has brought about the death of thousands of innocent victims. Suicide terrorism has proved to be a strategic obstacle to coexistence, reconciliation and peace. The danger posed by indiscriminate terrorists is doubled by the proliferation activities of States supporting terror. When these States continue in their efforts to acquire weapons of mass destruction and to proliferate them, the risks to global and regional stability are unacceptable and require an urgent answer.

The struggle against terrorism and its supporters demands international efforts to stop the illicit trafficking in small arms and light weapons and explosives and to curb the proliferation of technology and dual-use items related to weapons of mass destruction and ballistic missiles. This proliferation should not be accepted or treated lightly, especially when it involves States or non-State actors which help and support terrorism.

The connection between terrorism and proliferation is extremely dangerous. We call on all States to refrain from any transfer of weapons of mass destruction or related items to terrorist groups and to ensure that their territory is not used as a platform for the transfer of items and technology related to weapons of mass destruction to terrorists or to elements that may retransfer them to terrorist organizations.

Mr. Issa (Egypt) (*spoke in Arabic*): In expressing Egypt's position on the draft resolution entitled "Measures to prevent terrorists from acquiring weapons of mass destruction", contained in document A/C.1/57/L.49/Rev.1, I wish to clarify the following.

The draft resolution addresses the vital questions of terrorism and the means to combat it, including the non-proliferation of weapons of mass destruction, as well as the need for the consistent implementation of commitments to that end. The elaboration of the draft resolution represented tangible progress in taking into account the concerns of some States, including Egypt. The delegation of India, in addition to its initiative in submitting the draft resolution as another pioneering act, demonstrated intellectual and political flexibility in understanding Member States' concerns about the draft. It tried its best to arrive at an acceptable formula taking into account the varied concerns and interests of States, which we adopted today. We thank the delegation of India and Ambassador Rakesh Sood for their efforts.

The stable international legal framework governing weapons of mass destruction is counterbalanced by a legal framework in progress that controls the means of combating international terrorism, especially the important role to be played by the United Nations in this regard. Egypt has assumed a pioneering role in the United Nations endeavours to reinforce the legal anti-terrorism framework. We hope that one day we will achieve the necessary balance between the two frameworks, the one to combat terrorism and the other to control weapons of mass destruction. That will help us make tangible progress in achieving the goals contained in the draft resolution before us.

The Chairman: We will now proceed to cluster 10 on international security and draft resolution A/C.1/57/L.10, entitled "Promotion of multilateralism in the area of disarmament and non-proliferation".

The following delegations have asked for the floor to make general statements: South Africa, Denmark and Cuba.

Mr. Markram (South Africa): I have the honour to take the floor on behalf of the Non-Aligned Movement countries to make this general statement. I would like to refer to the draft resolution entitled "Promotion of multilateralism in the area of disarmament and non-proliferation" as contained in A/C.1/57/L.10. It is regarded as an important draft resolution as it reaffirms multilateralism as the core principle in negotiating and resolving disarmament and non-proliferation concerns and underlines the importance of preserving the existing agreements on arms regulations, non-proliferation and disarmament. When the draft resolution was introduced, the Non-Aligned Movement indicated that we would welcome any comments or draft proposals from States or groups. We were prepared to consider seriously all proposals and comments with a view to working for a consensus text. We are extremely grateful to the few delegations that either gave us written proposals or verbally indicated their views and comments on the text. Unfortunately, for a number of reasons — some evident and others not so evident — there has not been enough engagement on the text by a large enough group of a number of States to lead to changes in the text.

The Movement of Non-Aligned States emphasizes its readiness to work together with other groups and States so that we can promote disarmament and non-proliferation collectively. We trust that we can look forward to a more cooperative spirit of engagement in the future.

Mr. Nielsen (Denmark): Yet again, I have the honour on behalf of the European Union this time to speak on draft resolution A/C.1/57/L.10, entitled "Promotion of multilateralism in the area of disarmament and non-proliferation". The Central and Eastern European countries associated with the European Union — Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia — and the associated countries Cyprus, Malta and Turkey, as well as the European Free Trade Association countries members of the European Economic Area Iceland, Liechtenstein and Norway, align themselves with this declaration.

The draft resolution addresses a subject to which the European Union is fully committed. Multilateralism is, indeed, a core principle in the area of disarmament and non-proliferation with a view to maintaining and strengthening universal norms and enlarging their scope. Multilateral cooperation is of particular importance against the backdrop of the new threats of terrorism and persisting, traditional security threats, in particular the proliferation of weapons of mass destruction and their means of delivery and plays a key role in the implementation of relevant international instruments of arms limitation, disarmament and non-proliferation. In 2001, we supported the useful resolution on the issue of multilateralism put forward by the then chairman of the Committee. We would be happy to support such a text again this year.

Unfortunately, draft resolution A/C.1/57/L.10 contains a number of elements both in the preambular and operative paragraphs which are not acceptable to the European Union. As a point in question of a serious nature, we have after some consideration decided not to support the draft resolution. The draft resolution does not sufficiently reflect — or might give rise to misunderstandings regarding — the basic tenets of the United Nations Charter.

We also regret the fact that the draft resolution contains language that makes it unbalanced. The European Union recognizes that, in addition, unilateral, bilateral and plurilateral actions in disarmament and non-proliferation can bring substantial benefits. The Final Document of the 2000 NPT Review Conference

itself recognizes that. Draft resolution A/C.1/57/L.10 does not give sufficient credit to such measures.

Throughout this session of the First Committee, the European Union has undertaken efforts to discuss and to work on resolutions, in particular, on subjects that we deem important. However, we regret that the general tenor of this draft resolution appears to create divisions rather than to build usefully on an issue on which there is general agreement.

The European Union sees this as a missed opportunity to further develop and underline the international community's common goals, values and actions in this important area. We remain committed to multilateral approaches in the areas of arms limitation, disarmament and non-proliferation and continue to recognize their importance.

Mr. Benítez Versón (Cuba) (*spoke in Spanish*): Frankly, after hearing the statement made on behalf of the European Union by the Ambassador of Denmark, my delegation can only regret the Union's decision not to agree to the offer made by the Non-Aligned Movement regarding the Union's specific concerns about draft resolution A/C.1/57/L.10 and not to adequately consider the Movement's concrete proposals. We hope that in the future the European Union will demonstrate its willingness to work together to produce a consensus formula.

Cuba believes that it is essential to strengthen the United Nations as the appropriate framework for multilateral cooperation aimed at enabling all States to reach agreements that both reflect their positions in the international arena and ensure collective security. The Charter of the United Nations gave legal sanction to multilateralism as the basic way of maintaining international peace and security and finding negotiated solutions to problems among nations.

The First Committee will take a decision on draft resolution A/C.1/57/L.10, which was introduced on behalf of the members of the Non-Aligned Movement. That draft resolution follows the path set out by the Charter of the United Nations to deal with current threats to international peace and security. The various difficult challenges facing the world in this regard can only be dealt with through genuine international cooperation and multilateral negotiations carried out in good faith among Member States within the framework of the United Nations. The delegation of Cuba agrees with the concerns of a large number of Member States with regard to the inertia in the most recent disarmament and arms control negotiations. That factor, which has an impact on stability and mutual confidence, also poses a serious threat to international peace and security.

Bearing in mind the establishment of a system that is increasingly evolving towards unilateralism in international relations, Cuba believes that it is very important that the First Committee adopt a draft resolution on the full validity of multilateralism in the area of disarmament. We are certain that the timeliness and importance of the draft resolution contained in document A/C.1/57/L.10 will bring it broad support from Member States.

Mr. McGinnis (United States of America): I take the floor to explain why my delegation will vote no on the draft resolution contained in document A/C.1/57/L.10.

The United States is strongly committed to effective multilateral arms control. Many here will recall that Assistant Secretary of State Stephen Rademaker reiterated that commitment with absolute clarity in his speech to the First Committee just three weeks ago. The United States would, therefore, have been happy join consensus on a thoughtful, well-balanced draft resolution that represented the sentiments of all members of this body. Regrettably, we believe this draft resolution is more likely to create divisions than to rally support around this important principle. As such, the United States cannot support it.

Ms. Loose (New Zealand): We have asked for the floor to explain New Zealand's vote on draft resolution A/C.1/57/L.10.

New Zealand is a strong supporter of multilateralism. New Zealand's Minister for Foreign Affairs, The Honourable Phil Goff, stated during the general debate that:

> "It is essential that we renew our commitment to multilateralism as the best way to address global problems." (*A/57/PV.7, p. 14*)

Despite our commitment to multilateralism, we are unable to support this draft resolution. There are elements in the text that are unconstructive and confrontational. Furthermore, the draft resolution does not acknowledge the effective and complementary role of bilateral and plurilateral approaches to disarmament

in the operative paragraphs. In our view, the draft resolution is therefore unbalanced.

We had proposed language to the sponsors that, had it been accepted, we would have been in a position to support the draft resolution. It is our regret that a draft resolution on multilateralism cannot achieve the support of all Member States.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/57/L.10.

A recorded vote has been requested. I call on the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): Draft resolution A/C.1/57/L.10, entitled "Promotion of multilateralism in the area of disarmament and non-proliferation", was introduced at the Committee's 16th meeting, on 18 October 2002, by the representative of South Africa under agenda item 66, entitled, "General and complete disarmament", on behalf of the States Members of the United Nations that are members of the Non-Aligned Movement.

A recorded vote was taken.

In favour:

Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, Eritrea, Ethiopia, Ghana, Grenada, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia

Against:

Bulgaria, Germany, Israel, Italy, Latvia, Portugal, Romania, Spain, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Fiji, Finland, France, Georgia, Greece, Hungary, Iceland, Ireland, Japan, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Monaco, Netherlands, New Zealand, Norway, Poland, Republic of Korea, Republic of Moldova, San Marino, Slovakia, Slovenia, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Ukraine, Vanuatu, Yugoslavia

Draft resolution A/C.1/57/L.10 was adopted by 100 votes to 11, with 44 abstentions.

The Chairman: I shall now call on representatives who wish to explain their votes or positions after the voting.

Mr. Faessler (Switzerland) (*spoke in French*): I wish to thank the Chairman for giving me the opportunity to explain Switzerland's vote on draft resolution A/C.1/57/L.10, which the First Committee has just adopted.

My country has always opted for multilateralism in international negotiations. We would like to thank the authors of draft resolution A/C.1/57/L.10 for reaffirming that principle. However, we cannot exclude a priori a bilateral approach or other measures if such measures contribute to achieving objectives that are in the interest of the international community. That applies particularly to the area of disarmament and non-proliferation, as certain major bilateral initiatives have demonstrated. We therefore believe that both multilateral and bilateral procedures, among others, complement the draft resolution. However, that is not adequately reflected in the draft resolution on which we have just voted.

We also find it somewhat difficult to embrace some of the language in the draft resolution before us. I

wish to cite certain provisions as examples, according to which Member States must refrain from directing unverified accusations and showing disrespect. As we see it, verification is precisely the tool that is indispensable for establishing whether or not accusations are justified. That is why Switzerland has abstained in the vote on that draft resolution.

Mr. Albin (Mexico) (*spoke in Spanish*): The Mexican delegation voted in favour of draft resolution A/C.1/57/L.10 because it agrees with the objective of promoting multilateralism in the area of disarmament and non-proliferation. A few days ago in this conference room, my delegation stated that progressive development of international law is the best way to promote international peace and security. Today I reiterate Mexico's deep conviction of the need to strengthen multilaterally the institutional architecture in the area of arms regulation, disarmament and non-proliferation.

In the current international context, there is no doubt that the problems in the area of arms limitation, disarmament and non-proliferation affect everyone. They concern us all, and we must all participate in the efforts to address them. We are living in difficult times, and we are all concerned about the challenges to multilateralism. For that reason, this is a good time for Member States to renew their commitment to deal multilaterally with security concerns, with a view to strengthening confidence in the collective security system established in the Charter, and in the juridical approach, on which the international community relies in the area of arms limitation, disarmament and non-proliferation.

My delegation remains convinced that multilateralism is the fundamental principle of negotiation in the search for solutions to the challenges we face. My delegation is also convinced of the importance that all States apply and fulfil fully the duties and obligations incumbent on them under treaties on arms limitation, disarmament and non-proliferation. At the same time, my delegation reiterates its full confidence in international cooperation, the peaceful resolution of conflicts and the full use of the multilateral provisions and instruments stemming from international agreements on arms limitation, disarmament and non-proliferation, as well as from the Charter. In that context, my delegation supported the draft resolution that the Committee just adopted.

Mr. Loedel (Uruguay) (*spoke in Spanish*): Our delegation supports the spirit of the draft resolution just adopted, but it wishes to state for the record its view that some of its provisions require more thorough elaboration, in order to express more precisely some of the ideas that the draft resolution seeks to reflect.

We refer particularly to operative paragraph 6, which seems to go beyond what it really wishes to say. Paragraph 6 requests the States parties to the relevant instruments on weapons of mass destruction, among other things, to refrain from resorting or threatening to resort to unilateral actions. Lacking any qualification, that request is extraordinarily broad. "Unilateral actions" is an expression that is not defined, and that, attributing to it the natural meaning of its words, applies practically to the full gamut of possible acts carried out by States. States usually manifest themselves through unilateral actions. To request States to refrain from acting through the modalities of action that they normally use in the conduct of their international relations would seem excessive. We hope that in the future we have the opportunity to reflect on this proposal, so that it will reflect more faithfully the intention of its sponsors.

The Chairman: We have overrun our time. I wish to appeal to the remaining speakers to please be brief.

Mr. Westdal (Canada): I take the floor briefly to explain Canada's abstention on draft resolution A/C.1/57/L.10. We need and welcome opportunities to promote multilateralism in disarmament, arms control and non-proliferation. We would have been pleased to have supported this draft resolution, given its sound objectives and several fine features. We could not do so, however, on account of some specific problematic elements.

As we all agreed last year, multilateralism is a core principle in our work. It is not, though, the main core principle in the language of the draft resolution; not, as implied in that text, the only fundamental means. Our shared security system is, rather, the sum of many parts involving a variety of multilateral, plurilateral, bilateral and unilateral measures. All those are necessary in effective global arms control, non-proliferation and disarmament. None alone is sufficient.

We also have problems with the tone of parts of the draft resolution. Rather than advancing an inclusive

vision of multilateralism as the central coordinating element in our field, it offers an overly rigid, restrictive version that could actually limit the options available to and required by the global community.

Finally, we find both preambular paragraph 12 and operative paragraph 6 tendentious. We look forward to working constructively together next year to develop a draft resolution that can be adopted without a vote.

Mr. Shaw (Australia): I take the floor to explain Australia's vote on draft resolution A/C.1/57/L.10. Australia supports the promotion of multilateralism in the area of disarmament and non-proliferation. Regrettably, however, we have a number of substantive difficulties with this draft resolution; notably, the failure of the draft resolution to acknowledge the legitimate role played by plurilateral, regional and national efforts and arrangements to complement multilateral disarmament and non-proliferation. Nor do we see continuous erosion in the field of multilateral arms control, disarmament and non-proliferation.

Rather, we welcome the outcome of the 2000 Review Conference of the States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), and we urge all Member States to comply with all treaty obligations as we move towards the 2005 NPT Review Conference. Only early this week we heard from the Director-General of the Organization for the Prohibition of Chemical Weapons on how the Chemical Weapons Convention is moving from strength to strength after just five short years since its entry into force.

For these reasons, therefore, Australia cannot support this draft resolution. Australia will, however, continue to play an active role in international efforts to promote disarmament and non-proliferation.

The Chairman: I call on the representative of Nigeria.

Mr. Udedibia (Nigeria): I asked for the floor to seek some clarification, because I am a little confused about two documents that were distributed to us here this morning. These documents relate to document A/C.1/57/L.26.

Informal paper No.6 relates to cluster 10. It refers to document A/C.1/57/L.26/Rev.2, entitled "Multilateral cooperation in disarmament and non-proliferation". At the same time, the title of document A/C.1/57/L.26/Rev.2, containing the Chairman's draft, is different but the document number is the same. We have two different titles here bearing the same number, so we are in a little difficulty. I would be pleased if the Secretariat could effect the necessary correction, since we are voting on it on Monday.

The Chairman: I call on the Secretary of the Committee.

Mr. Sattar (Secretary of the Committee): I would like to clarify this issue. The representative of Nigeria is absolutely right. The title of draft resolution A/C.1/57/L.26/Rev.2 will read "Disarmament, non-proliferation and international peace and security". It will be corrected and a revision of informal paper No. 6 will be circulated on Monday morning.

The Chairman: I thank the representative of Nigeria for drawing our attention to that critical error.

I call on the representative of South Africa.

Mr. Markram (South Africa): We just want to point out that there is a revised text of document A/C.1/57/L.8, available in document A/C.1/57/L.8/Rev.1. We will be voting on it on Monday. We just wish to point out to everybody in the room that there is a revised text out. I know that we are short of time. We would have made a much longer statement to introduce all those changes, but everybody has the revised version in front of them.

The Chairman: The Chair now appeals for members' patience and indulgence in order to introduce draft resolution A/C.1/57/L.26/Rev.2.

Earlier this month, I introduced the Chair' s draft resolution A/C.1/57/L.26, entitled "Multilateral cooperation in disarmament and non-proliferation". That draft resolution followed a similar draft resolution introduced last year by my predecessor, which the General Assembly later adopted without a vote as resolution 56/24 T.

The need for the General Assembly to reiterate its commitment to multilateral approaches to these vital issues is more vital today than ever before, and I am pleased that there is considerable support throughout this Committee for emphasizing the value of multilateralism in its work. After consultations with many delegations, however, I have decided to introduce a second revision of my draft resolution in document A/C.1/57/L.26/Rev.2, which now bears the title

"Disarmament, non-proliferation and international peace and security".

The new draft resolution responds to a broader challenge facing this Committee. It is true that we must reaffirm and revitalize multilateral cooperation to address, literally, all the challenges facing this Committee, but my intention in offering this revised draft resolution was not only to accommodate as many views as possible — as I should in my capacity as Chairman — but also to bring us back to a deeper theme that must also serve to orient our efforts in the years ahead.

We recognize that multilateral cooperation and its associated creed of multilateralism are important, but not the only ends in themselves. They are, instead, means to achieve a goal that lies at the very heart of the United Nations Charter — the maintenance of international peace and security. I see this as a unifying principle of all the delegations in this Committee.

We must support disarmament and non-proliferation not because they advance the cause of multilateralism, but because of the great benefits that multilateral cooperation in this field can bring to the service of international peace and security. We favour disarmament in particular because it enhances the security of all Member States and their billions of citizens across the globe. Our goal is not just to promote multilateralism per se, but to build a safer, more just, prosperous and secure world for all.

Accordingly, my new draft resolution bears a new title, a new preambular part and a new operative text underscoring this link between our collective efforts on disarmament and non-proliferation and our larger global goal of strengthening international peace and security. My text places special emphasis on the importance of binding legal obligations as a means to pursue the end of new efforts in existing disarmament machinery to strengthen agreed global norms.

In view of this, the draft resolution offers the members of this Committee an opportunity to underscore their collective recognition that disarmament and non-proliferation are not empty symbolic gestures. They are neither acts of national sacrifice nor idealistic gestures devoid of practical meaning and effect. Instead, disarmament and non-proliferation are a means to advance our common security interests. That is why these issues have appeared on the agenda of this Committee for so many years. Thus, let us deepen multilateral cooperation, but let us also reaffirm that the goal of that cooperation is inextricably aimed at improving the conditions of international peace and security.

I have sought, in drafting this revised text, to reflect, as the Chair should, the views of all the Member States and now I ask for their support. This text is available and the Chair welcomes all constructive enrichment and improvement.

The meeting rose at 1.20 p.m.